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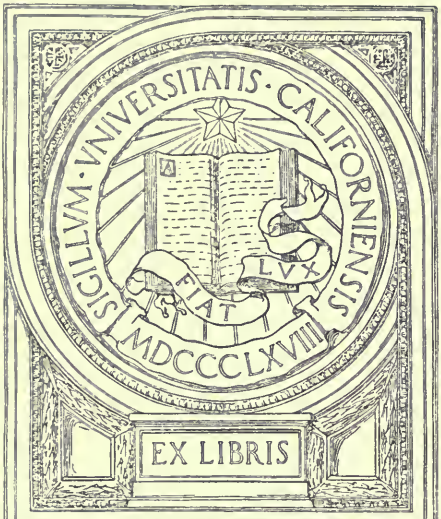

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Church-Government

PART V.

[Woodhead, abr

A RELATION

OF THE

English Reformation,

AND

The lawfulness thereof examined by the THESES deliver'd in the Four former Parts.

Printed at OXFORD, 1687.

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PART V.

A RELATION

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SIR,

SIR,

WEll knowing your Fidelity and Loyalty to your Prince; leſt you ſhould be offended with ſome expreſſions in this diſcourſe concerning the limited authority of the ſupreme Civil Power in Spiritual matters, I muſt pre-acquaint you with theſe three things: 1. *That there is nothing touched herein, concerning the Temporal Prince his ſupreme power in all Civil or Temporal matters whatever; nor in ſuch, as it is dubious, whether they be Spiritual or Temporal: but only concerning the Supremacy in things that are purely Spiritual and Eccleſiaſtical. Namely ſuch, as Chriſtianity hath* de novo, *by our Saviours authority and commiſſion, introduced into the world, and into the ſeveral Civil States thereof, which do voluntarily ſubject themſelves unto its laws: and ſuch, as the Church Governors, our Saviours Subſtitutes from the beginning, have lawfully exerciſed in ſeveral Princes dominions, when the ſame Princes*

have prohibited them the exerciſe of ſuch things under pain of death. Which things you may ſee numbred by Biſhop Carleton *below §. 3. or by Dr.* Taylor, *or by the Kings Paper*, Ibid. 2. *That there is nothing aſſerted here concerning the lawfulneſs of any Spiritual power's uſing, or authorizing any others to uſe, the material or temporal Sword in any caſe or neceſſity whatſoever; tho it were in* ordine ad Spiritualia. 3. *That I know not of any Eccleſiaſtical powers in this Diſcourſe denyed to the Prince, but which (or at leaſt the chiefeſt of which) all other Chriſtian Princes, except thoſe of the reformed States, do forego to exerciſe; and do leave to the management of the Clergy: and yet their Crowns, notwithſtanding the relinquiſhing this power in Spirituals, ſubſiſt, proſper, flouriſh: And not any, but which the Kings of* England *have alſo foregone, before* Henry *the Eighth. Now; no more Supremacy in ſuch Eccleſiaſtical matters, as are delegated by Chriſt to the Clergy, and are unalienable by them to any Secular power, can belong to the Princes of one Time, or of one Nation, than do to any other Prince of a former Time, or a diverſe Na-*

Nation; Becauſe what are thus the Church's Rights, no Civil or Municipal law of any Kingdome, in any time, can lawfully prejudice, diminiſh, or alter; Nor may any ſuch Secular laws, made, be urged as authentical for ſhewing what are, or are not, the Church's Rights. And therefore in reſpect of the foreſaid Clergy-Rights the Kings of England *can have no more priviledge or exemption, than the King of* France; *nor, in* England, Henry *the Eighth, than* Henry *the Seventh; Nor can any perſon, in maintaining the Church's foreſaid Rights, be any more now a diſloyal Subject to his Prince in theſe, than he would have been in thoſe, days.*

CORRIGENDA.

PAg. 2. *line* 38. of Chriſtians. *p.* 3 *l.* 16. to Heathen. *p.* 6. *l.* 15. 1. l. 19. c. *p.* 8. *l.* 1. pag. 236. *p.* 35. *l.* 37. pag. 53. *p.* 38. *l.* 10. §. 24. *p.* 41. *ult.* from denying. *p.* 53. *l.* 16. pag. 34. *p.* 56. *l.* 17. *Mariæ*, *p.* 106. *l.* 7. §. 340. *p.* 180. *l.* 18. *Edward*, the. *p.* 184. *l.* 5. §. 194. *p.* 210. *l.* 8. §. 204. *p.* 211. *l.* 10. §. 197. *p.* 215. *l.* 37. that tho no. *p.* 226. *l.* 22. their words.

OF Church Government

PART V.

Concerning the *Engliſh REFORMATION.*

CHAP. I.

Eight Propoſitions, whereby the lawfulneſs of this Reformation *is to be tryed.*

§. 1. *Eight Theſes pre-poſed, whereby to try the lawfulneſs of this* Reformation.

TO finiſh theſe Diſcourſes of Church Government, there remain yet behind ſome Conſiderations concerning the lawfulneſs and regularity of the Reformations made here in *England*, in the days of *Henry* the Eighth, *Edward* the Sixth, and Queen *Elizabeth*, according to the Principles already eſtabliſhed. Of which Reformations that you may make the more exact judgment; 'tis fit to remind you, firſt of theſe few Propoſitions, which have been cleared, or

do neceſſarily follow from what hath been cleared in the former Diſcourſes. And they are theſe;

§. 2. *Theſ.* 1. The *Firſt*, That, amongſt other offices and authorities which the Clergy, Chriſt's ſubſtitutes, (by Clergy I mean the lawful Church-Authority) have received from him, as God's High-Prieſt and Prophet, theſe are two principal ones. *Firſt*, The power to determine Controverſies in pure matters of Religion, and to judge and decide, (where doubts ariſe) what is Gods Word and divine Truth; what are errors, in the Faith, or in the practice and performance of Gods Worſhip and Service (which errors in Practice always pre-ſuppoſe ſome error in matter of Faith.) And *Secondly*, The power, to promulgate, teach, preach, and make-known ſuch matters, when decided by them, to Gods people, who are, for doctrine in Spiritual things, committed to their charge; and to require their obedience and ſubmiſſion thereto; with power to execute the Eccleſiaſtical Cenſures (which have reference to things not of this, but of the next, world) upon all ſuch, as diſobey their Authority: elſe what profits the Church a ſilent determination of a Controverſy, more, than letting it alone; a concealed, more than a non-deciſion thereof? And theſe things from our Saviours Commiſſion they are obliged to perform, and conſequently to uſe ſuch Aſſemblies and Meetings together, Conſults, Summons, Examinations, *&c.* Without which ſuch things cannot be performed, tho' any Civil or Secular power, Heathen, or Chriſtian(who perhaps may be an Heretick or Schiſmatick; as ſome Chriſtian Princes have been Arians) doth oppoſe them. [So, a Chriſtian Emperor *Conſtantius* being an Arian, and prohibiting in his Empire the promulgation of the Orthodox Doctrine of the Trinity, yet the Weſtern Catholick Biſhops, nevertheleſs, did promulgate their definition of the Conſubſtantiation of the Son with the Father.] And indeed of theſe two Secular Powers the Chriſtian, if either, ſeems to have the leſs capacity to hinder or reſiſt them: becauſe he profeſſeth himſelf, with the reſt of the Chriſtians, as to the knowing of Spiritual Truths, a Subject,

1.

2.

and

and a Scholar of the Church; and becauſe he ſo earneſtly claimeth a Supreme Power, and profeſſeth an Obligation from God over all perſons, in all Spiritual matters, to bind them, upon Temporal puniſhments, to the obedience of the Church's (or Clergy's) Determinations and Decrees. But if he meaneth here, only where himſelf firſt judgeth ſuch their Decrees orthodox and right, this power is, (in effect,) claimed, to bind all perſons, in all Spiritual matters, only to his own Decrees; whilſt he pretends an Obligation both of himſelf and of his Subjects to the Churches. Yet ſo it is indeed, that all Princes whatever, even the Heathen, have ſuch an Obligation from God: Nor doth any Text of the New Teſtament give Chriſtian Princes more Authority over the Church, to reſtrain any Liberties thereof, than it giveth to the Heathen Princes. For all the Texts, which are urged thence, ordain obedience of Church men to the *Pagan* Princes that then Reigned, no leſs, than to others. And all Princes are obliged, with the Sword, which God hath given them, not only not to perſecute, but to protect and defend, his true Religion and Service in their Dominions, whenſoever it offereth it ſelf to them, and claimeth their Subjection and Protection. See *Pſal.* 2. 1, 2, 10, 11, 12. Tho the Obligation of ſome Princes to this may be more than that of others, as he hath had more divine Truth revealed, and hath received more favors from God and his Church. See theſe things more largely handled before, in *Succeſſion of Clergy*, &c. And in *Church Government.* 1. Part. §. 38.

Neither doth that, which is ordinarily urged, *viz.* That the Acts and Laws of the ancient Councills of the Church *de Facto* had always the Chriſtian Emperors conſent, (tho indeed they always had not: not the Antiarian Councills in *Conſtantius* his time, and yet they were obliging in the eſtabliſhing the *Nicene* Decrees) prove, that they were not of force without ſuch conſent: nor doth the Councills intreating the Emperors conſent, when Chriſtian, prove; they did this, to legitimate the § 3.

making or enjoyning of ſuch laws (for ſuch laws they had formerly both made, and impoſed, when Emperors were their enemies) but to ſtrengthen the obſervance of them. Indeed the Prince, who beareth the Secular Sword, his giving to the Miniſters of Chriſt his licence, to exerciſe their office, and their eccleſiaſtical cenſures in his dominions, or in any part or province thereof, as it implies the prohibiting of his officers or ſubjects any way to diſturb them, is to great purpoſe, and therefore much to be deſired; But it ſheweth not, that it is in his juſt power to deny them ſuch licence. (I mean in general; for I meddle not here with the Princes denying ſome of them to do theſe things, whilſt he admits others); or that his officers or ſubjects, without it, may lawfully diſturb them in any part of their Spiritual Function. Touching theſe things this is the conceſſion of Biſhop *Andrews* (*Tort. Tort.* p. 366) *poteſtatis merè Sacerdotalis ſunt Liturgiæ, Conciones* [*i. e, docendi munus, & dubia legis explicandi*, as he ſaith, *ibid.* p. 380] *claves* [to which he adds *Cenſuræ* p. 380] *Sacramenta*. [*& omnia, quæ poteſtatem ordinis conſequuntur* p. 380]. and (ſomewhat more plainly) of Biſhop *Carleton* in his Treatiſe of Juriſdiction Regal and Epiſcopal 1. c. p. 9. 'As for Spiritual Juriſdiction (ſaith 'he) ſtanding in examination of controverſies of Faith; 'judging of Hereſies; depoſing of Hereticks; excom- 'munications of notorious and ſtubborn offenders; or- 'dination of Prieſts and Deacons; *inſtitution* and *colla- 'tion* of *Benefices* and Spiritual Cures; this we reſerve 'entire to the Church; which *Princes* cannot *give to*, 'nor *take from*, the Church. So he ſaith, p. 42. That 'external juriſdiction is either definitive or mulctative. 'Authority *definitive* in matters of Faith and Religion 'belongeth to the Church: *Mulctative* power is un- 'derſtood, either as it is with coaction, or as it is re- 'ferred to Spiritual cenſures. As it ſtandeth in Spiri- 'tual cenſures, it is the right of the Church, and was 'practiced by the Church, when without Chriſtian Ma- 'giſtrate, and ſince. But *coactive* Juriſdiction was al- 'ways

'ways underſtood to belong to the Civil Magiſtrate, 'whether Chriſtian, or Heathen. And by this power '(ſaith he, c. 4. p. 39.) without coaction, the Church 'was called, Faith was planted, Devils were ſubdued, 'the Nations were taken out of the power of darkneſs, 'the World reduced to the obedience of Chriſt; by this 'power, without coactive Juriſdiction, the Church 'was governed for Three Hundred years together. [But, 'if it be inquired what was done, when the Emperors were 'Chriſtian, and when their coactive power came in?] 'The Emperors (ſaith he, p. 178.) never took upon them 'by their authority to define matters of Faith and Re-'ligion; that they left to the Church. But when the 'Church had defined ſuch truths againſt Hereticks, and 'had depoſed ſuch Hereticks; then the Emperors, con-'curring with the Church by their Imperial Conſtitu-'tions, did, by their coactive power, give ſtrength to 'the Canons of the Church. But then: what if the Emperors, being Chriſtian, ſhould take upon them, by their authority, to define matters of Faith, or ſhould uſe their coactive power againſt the Canons of the Church? Take the anſwer of another reformed Writer, Mr. *Thorndike*. 'The power of the Church is ſo abſolute '(ſaith he) and depending on God alone, that if a Sove-'reign profeſſing Chriſtianity ſhould forbid, the Profeſſi-'on of that Faith, or the exerciſe of thoſe Ordinances, 'which God hath required to be ſerved with, or even 'the exerciſe of that Eccleſiaſtical power which ſhall 'be neceſſary to preſerve the Unity of the Church; it 'muſt needs be neceſſary, for thoſe that are truſted 'with the power of the Church not only to diſobey 'the Commands of the Sovereign, but to uſe that power, 'which their quality in the Society of the Church gives 'them, to provide for the ſubſiſtence thereof without 'the aſſiſtance of Secular powers. A thing manifeſtly 'ſuppoſed by all the Biſhops of the ancient Church in 'all thoſe actions; wherein they refuſed, to obey their 'Emperors ſeduced by Hereticks, and to ſuffer their 'Churches to be *regulated* by them, to the prejudice of Chriſti-

Right of Church 4. c. p. 234.

'Chriſtianity. Which actions whoſoever juſtifies not, he 'will lay the Church open to ruine, whenſoever the 'Sovereign power is ſeduced by Hereticks. And ſuch 'a difference falling out [*i. e*, between Prince and Clergy, 'in Church matters] as that to particular perſons it 'cannot be clear, who is in the right; It will be re-'quiſite (ſaith he) for Chriſtians, in a doubtful caſe, at 'their utmoſt perils, to adhere to the Guides of the 'Church againſt their lawful Sovereigns, tho to no other 'effect, than to *ſuffer* [if the Prince impoſe it] for the 'exerciſe of their Chriſtianity, and the maintenance of 'the Society of the Church in Unity [tho contrary to 'the Sovereigns commmands.] Thus Mr. *Thorndike*, in *Right of the Church*, 4. chap. And like things he ſaith in his *Epilog. of the Church of Engl.* See there 1. l. 9. c. the Contents whereof touching this Subject he hath briefly expreſſed thus: 'That that power, which was 'in Churches under the Apoſtles, can never be in any 'Chriſtian Sovereign. That the Intereſt of Secular 'power in determining matters of Faith preſuppoſeth the 'Society of the Church, and the Act of it. That the 'Church is the chief Teacher of Chriſtianity thro 'Chriſtendome, as the Sovereign is of civil Peace thro 'his Dominions. And there he giveth reaſons why the Church is to decide matters of Faith, rather than the State, ſuppoſing neither to be infallible. And ſee 1. l. 20. c. p. 158. Where he ſaith, That He, who diſturbs the Communion of the Church, remains puniſhable by the Secular power (to inflict Temporal Penalties) not abſolutely, becauſe it is Chriſtian; but upon ſuppo-ſition, that this Temporal power maintaineth the true Church. And afterward, 'That the Secular power is 'not able of it ſelf to do any of thoſe Acts, which the 'Church (*i. e*, thoſe who are qualified by and for the 'Church) are qualified by vertue of their Commiſſion 'from Chriſt to do, without committing the Sin of Sa-'criledge (in ſeizing into its own hands the powers, 'which by Gods Act are conſtituted; and therefore 'conſecrated and dedicated to his own Service) not

'ſup-

'ſuppoſing the free Act of the Church, without fraud 'and violence, to the doing of it; [*i. e.* joyned to the 'Secular power, doing ſuch Act.] Now amongſt the Acts and Powers belonging to the Church (which he calls a Corporation) by divine right and appointment he names theſe l. 1. c. 16. p. 116. 'The power of 'making Laws within themſelves; of Electing Church 'Governors (of which ſee 3. l. 32. c. p. 398,) and of 'excommunicating, and (3. l. 32. c. p 385,) the power 'to determine all matters, the determination whereof 'is requiſite to maintain the communion of Chriſtians 'in the Service of God; and [the power] to oblige 'Chriſtians to ſtand to that determination under pain of 'forfeiting that Communion; the power of holding 'Aſſemblies, of which he ſpeaketh thus 1. l. 8. c. p. 54. 'I that pretend the Church to be a Corporation Founded 'by God upon a Priviledge of holding *viſible Aſſemblies* 'for the common Service of God, notwithſtanding any 'Secular force prohibiting the ſame, muſt needs main-'tain by conſequence, that the Church hath power in it 'ſelf to hold all ſuch Aſſemblies as ſhall be requiſite to 'maintain the common Service of God and the Unity in 'it, and the order of all Aſſemblies that exerciſe it. Thus Mr. *Thorndike*. And thus Dr. *Fern* of the power of Judicature belonging to the Clergy. 'It is confeſſed '(ſaith he) on both ſides, that the power of *Ordination* 'and of *Judicature*, ſo far as the Keys left by Chriſt in 'his Church do extend, is of divine Inſtitution; and 'that this power muſt be exerciſed or adminiſtred in the 'Church by ſome [either Biſhops or Presbyters] is alſo 'confeſſed to be of divine right Therefore, ſurely, no Secular Prince can juſtly prohibit within his dominions the exerciſe of ſuch *Judicature*; nor, prohibiting is to be obeyed; and Chriſt's ſubſtitutes, herein being denyed the aſſiſtance of the Civil power, are to proceed without it. To theſe I will add what Dr. *Taylor* hath delivered on the ſame Subject in *Epiſcopacy aſſerted*; and this the rather, becauſe this Treatiſe was publiſhed by the Command of ſo underſtanding a Prince. He, after

Diſcourſe of Epiſcopacy and Presbytery p. 19.

'after that, p. 263. he hath laid this ground for the ſe-
'curity of Secular Princes; That, ſince that Chriſt hath
'profeſſed, that his Kingdom is not of this world, that
'Government, which he hath conſtituted *de novo*, doth
'no way make any intrenchment on the Royalty; hath
'theſe paſſages. P. 237. he ſaith, That thoſe things
'which Chriſtianity (as it preſcinds from the intereſt
'of the Republick) hath introduced, all them and all
'the cauſes emergent from them the Biſhop is Judge of.
'Such are cauſes of Faith; Miniſtration of Sacraments;
'and Sacramentals; *Subordinations of inferiour Clergy to*
'*their ſuperiour*; Rites, Liturgies, *&c.* As for the rights
'of the Secular power, he layeth down this Rule, p.
'236 Whatſoever the Secular Tribunal did take cog-
'nizance of before it was Chriſtian, the ſame it takes
'notice of after it is Chriſtened. And theſe are: All
'actions civil, all publick violations of Juſtice, all breach
'of Municipal laws. Theſe the Church (ſaith he) hath
'nothing to do with, unleſs by the favour of Princes
'theſe be indulged to it [theſe by their favour then
'indulged, but not ſo the former.] Accordingly p. 239.
'he ſaith: Both *Prince* and *Biſhop* have indicted Synods
'in ſeveral ages upon the exigence of ſeveral occaſions,
'and have ſeveral powers for the engagement of clerical
'obedience and attendance upon ſuch Solemnities. That
'the Biſhops Juriſdiction hath a Compulſory, derived
'from Chriſt only, *viz.* Infliction of Cenſures by Ex-
'communication, or other *minores plagæ*, which are in
'order to it. And that the King is ſupreme of the Ju-
'riſdiction, *viz.* that part of it, which is the external
'compulſory [*i. e.* as he ſaith before] to ſuperadd a
'temporal Penalty upon contumacy, or ſome other way
'abett the cenſures of the Church. P. 243. he ſaith,
'That in thoſe caſes, in which by the law of Chriſt Bi-
'ſhops may, or in which they muſt, uſe Excommunica-
'tion, no power can forbid them. For what power
'Chriſt hath given them, no man can take away. And
'p. 244. That the Church may inflict her cenſures upon
'her delinquent children without asking leave; that Chriſt
'is

'is her ἀυθεντία for that; he is her warrant and ſecurity. 'And p. 245. That the Kings ſupreme regal power 'in cauſes of the Church conſiſts in all things, in which 'the Prieſtly office is not preciſely, by Gods law, em-'ployed for regiment and cure of Souls: [*I ſuppoſe thoſe he named before p.* 237.] and in theſe alſo, that all 'the external Compulſory and Juriſdiction [*as he expoundeth it before p.* 239] is the Kings. And laſtly, 'p. 241. he ſaith, that the Catholick Biſhops [*in time of the Arian Emperors*] made humble and fair remon-'ſtrance of the diſtinction of Powers and Juriſdiction; 'that as they might not intrench upon the Royalty, ſo 'neither betray the right which Chriſt concredited to 'them to the encroachment of an exteriour Juriſdiction 'and Power, [i. e, *the Royal.*] See the like expreſſions 'frequent in Biſhop *Bramhal, Schiſm Guarded*, p. 61. 'All which our Kings (ſaith he) aſſume to themſelves, 'is the external regiment of the Church by coactive 'power to be exerciſed by perſons capable of the reſ-'pective branches of it [i. e, *of that regiment*;] and p. 63, He comments thus on the 37th Article of the Church of *England*. 'You ſee the Power is political, 'the Sword is political, all is political. Our Kings leave 'the power of the Keys and Juriſdiction purely Spiri-'tual to thoſe to whom Chriſt hath left it. And p. 92, he ſaith, 'We ſee the primitive Fathers did aſſemble 'Synods and make Canons before there were any Chriſti-'an Emperors; but they had no coactive power to com-'pel any man againſt his will [*this therefore is the power which Chriſtian Princes bring in to them, without taking away, I hope, any of that power which the Church from Chriſt held under Heathen Princes.*] And 'p. 119, We acknowledge, that Biſhops were always 'eſteemed the proper Judges of the Canons, both for 'compoſing of them, and executing of them; but with 'this caution, that to make them laws [*he means ſuch Laws, for obſervance of which Secular coaction might be uſed*,] the Confirmation of the Prince was requi-'red, and to give the Biſhop a coactive power to exe-

'cute them, the Princes grant or conceſſion was needful. [*Doth not this Biſhop mean here, that Biſhops may both compoſe and execute Canons in the Kings dominions, and uſe the Eccleſiaſtical cenſures by their own authority; only that they can uſe no* coaction *by pecuniary or corporal puniſhments in the execution of them, without his? But ſee below* §. 22. *The Biſhops deprived of the former power in the Reformation: See more of this* §. 35. *N.* 2.] 'And Anſwer to *Chalc.* p. '161. he ſaith, It is coercive and compulſory and cor-'robatory Power, it is the application of the matter, 'it is the regulating of the exerciſe of actual Eccleſiaſti-'cal Juriſdiction in the [*external*] Court of the Church; '[*Why or under what pretence?*] to prevent (ſaith 'he) the oppreſſion of their Subjects, and to provide 'for the tranquility of the Common wealth, [*not therefore to examine, what in thoſe external Courts of the Church is paſſed agreeable or diſagreeable to Gods word; for this Princes are to learn from thoſe Courts*] which belongs to Sovereign Princes. Thus he. Laſtly ſee the Kings laſt Paper in the Iſle of *Wight*, p. 3. where it is ſaid. 'That tho the Biſhops in the times under Pagan 'Princes had no outward coercive power over mens 'perſons or eſtates [*no more have they now except from and during the Princes pleaſure:*] Yet inaſmuch as 'every Chriſtian man, when he became a member of 'the Church, did, *ipſo facto* and by that his own volun-'tary Act, put himſelf under their Government [*ſo Chriſtian men do ſtill, Princes and all*] they exerciſed 'a very large power of Juriſdiction in *Spiritualibus*; in 'making Eccleſiaſtical Canons, in receiving Accuſa-'tions, conventing the accuſed, examining witneſſes, judg-'ing of crimes [*againſt Gods law*] excluding ſuch men, 'as they found guilty of ſcandalous offences, from the 'Lords Supper, enjoyning Penancies upon them, caſt-'ing them out of the Church, receiving them again upon 'their Repentance, *&c.* [Now I ſubſume, the ſame making of Eccleſiaſtical Canons, the ſame Church Diſci-pline, caſting out of the Church or Excommunication,

&c.,

&c. they are, and muſt be allowed ſtill in Chriſtian States; being things which as Biſhop *Carleton* ſaith, Princes can neither give to, nor take from, the Church. And therefore they muſt be allowed ſtill all thoſe means abſolutely *ſine-quibus non* ſuch things can be done: and theſe are means abſolutely neceſſary; *Convening*, for the making of Canons: *Knowing the Fact*, for Excommunication: therefore, in caſe the Chriſtian Prince will not call them, they may aſſemble themſelves, when the Church's neceſſities require ſuch Canons; and when the Chriſtian Secular Courts will not, they may examine the Facts of thoſe who are accuſed to them of Delinquency: but this in order to Church puniſhments only. When ever the Chriſtian Prince or State is to them as a Heathen, in his withdrawing and prohibiting theſe neceſſary things, then may they behave themſelves as formerly in Heathenism, *i. e*, do theſe things without their leave, againſt their prohibitions. All the Plea, that a Secular State ſubjecting it ſelf to the Church can make for medling in ſuch Spiritual affairs, ſeems to be this; that the Church ſhall not be troubled (now as formerly) to do all, becauſe the State with its more awing power will do ſomething for it. Which is, the aſſiſting of the Church in her buſineſs, not the abridging of her in her power.]

The Second *Theſis*. *That the Clergy cannot alienate or make over and give away to the Secular Governor, or to his Miniſters and Delegates, any authority or office, which they have received and been charged with by Chriſt, with a Command to execute the ſame to the end of the world, and with a threat to become anſwerable to God for any miſcarriage of the people by their default therein.* From which it follows, that the Clergy's doing of either of theſe Two things. *Firſt*, The binding themſelves for ever to any Secular Governor, never to make, or never to teach abroad and publiſh to the people his Subjects any judgment or deciſion of theirs, made in matters of Faith and Gods Worſhip, or made for reforming ſome Error or Hereſy, or other abuſe in Gods Service, without the conſent of ſuch Governor firſt ob- § 4. *Theſ.* 2.

tained thereto (which Governor, as I ſaid, tho Chriſtian and a Believer, yet may be a Sectariſt, an Heretick, *&c.*) 2. Or *Secondly*, (which is yet worſe) the authorizing of the Secular Governor, or of thoſe whom he ſhall pleaſe to chooſe and nominate (who will be ſure to name thoſe rather of his own Sect) to determine, and decide, and promulge ſuch Spiritual matters; for the Clergy, and in their ſtead: So that now not only the Clergy cannot do ſuch things without ſuch Secular Governor, but alſo ſuch Governor may do thoſe things without the Clergy. I ſay, theſe two are unlawful, as being contrary to the duties of the Clergy, ſaid above (*Theſis* the Firſt,) to be committed to them by Chriſt.

§. 5. *Theſ.* 3. 1. The Third *Theſis*. *That the Secular Prince cannot depoſe or eject from the exerciſe of their office in his Dominions any of the Clergy*; neither abſolutely, without any cauſe pretended: as he may remove thoſe Officers and Miniſters under him, who hold their places only *durante beneplacito*. Nor for a cauſe alledged: if it be ſuch as this; namely, for their not obeying the deciſions which he or his civil Council ſhall make in Spiritual matters; or for their tranſgreſſing of the Eccleſiaſtical Canons; 2 nor can introduce others into the places of the ejected; without the conſent of the major part of the Clergy, or of their Eccleſiaſtical Superiors (which conſent if he obtain I reckon not this depoſition *&c.* to be his Act, but theirs:) [And here note, that what is ſaid of other Clergy, may be ſaid likewiſe of the Patriarch, for any authority in ſuch Princes Dominions which he ſtands poſſeſſed of by ſuch Eccleſiaſtical Canons, as cannot juſtly be pretended to do any wrong to the civil Government. Touching which matter ſee *Church Gov.* 1. Par. §. 38. *&c.*]

§. 1. 1. *Firſt*: The Prince cannot eject them. 1. Neither without giving any cauſe thereof; becauſe they hold not theſe their Offices from the Prince; much leſs from him, only during pleaſure; but they receive them by Solemn Ordination from their Predeceſſors in this Miniſtery, the Subſtitutes of the Lord Chriſt; even this Office among

among the reſt, to overſee, inſtruct and uſe Eccleſiaſtical Juriſdiction, in making or publiſhing Eccleſiaſtical Laws, and impoſing cenſures over the flock of Chriſt in what Princes Dominions ſoever, or in whatſoever Province or Dioceſs thereof, as every one by his Eccleſiaſtical Superiors is appointed; as appears by their equally exerciſing ſuch Office in the three firſt Centuries in all Dominions diſtributed into ſeveral Provincial and Parochial Governments, (the Twelve Apoſtles being ſaid at the firſt to have allotted to themſelves ſeveral Circuits after the ſame manner) even when the Supreme Power civil not only licenced not, but oppoſed and prohibited them to do it on pain of death. Of which matter ſee Mr. *Thorndike Right of the Church* 1 chap. 'Seeing 'the Church (ſaith he) ſubſiſted Three Hundred years, 'before any State profeſſed Chriſtianity, whatſoever right 'it uſed during that time, manifeſtly therefore it ought 'ſtill to uſe and enjoy: this being the moſt pertinent 'evidence to ſhew the bounds of it [*(i. e.) of ſuch rights independent on any Temporal Governor*] See him 4. c. p. 169. And the Apoſtles themſelves were they, who firſt ſet up this Church Government in Civil States. And St. *Paul* made *Titus* Superintendent of *Creet*, and *Timothy* of *Epheſus* for Spiritual Affairs, without the Secular Governors leave; * who were, in theſe places, to ordain others, to preſerve for ever the Doctrines and Diſcipline delivered to them. *For this cauſe* (ſaith *Paul* to *Titus* 1. chap. 5. ver.) *left I thee in* Creet, *that thou ſhouldeſt ſet in order the things that are left undone, and ordain Presbyters in every City, as I had appointed thee.* [Which ordaining of others ſignifieth alſo Inſtitution in the charge, or cure, wherein they miniſtred (as Biſhop *Carleton* confeſſeth *Juriſdict. Regal Epiſcopal* 4. chap. pag. 40.) Again, * Who were, in theſe places, to receive Accuſations; hear Witneſſes; (which cannot be without appointed Aſſemblies and Meetings) ſilence falſe Teachers; excommunicate Offenders. See *Tit.* 1. 11. *Rev.* 2. 20. 1. *Tim.* 1. 3. 5. 19. *Againſt an Elder receive not an Accuſation, but before two or three Witneſſes.*

[Now

'[Now he (ſaith the ſame Author pag. 42.) that is ap-
'pointed to hear Accuſations, and to receive the teſti-
'monies of witneſſes, is ſeated in a place of judgment
'with Juriſdiction.] (See more of this in *Succeſ Clergy.* §. 4.) and this they did, when the Temporal Governors of thoſe places licenced them not, yea perſecuted them. So *Athanaſius*, ejected by *Conſtantius* his Emperor from the charge which the Church had committed to him of *Alexandria*, and *Paulus* from *Conſtantinople*, were nevertheleſs accounted ſtill the true Biſhops of thoſe Sees. Princes indeed may deprive the Clergy at pleaſure or according as Covenants made, of what they beſtow on them, Houſes, Lands, Priviledges, Juriſdictions, Lordſhips Temporal; but the Offices abovenamed they be-
2. ſtow not. 2. Again, as Princes may not depoſe them, at pleaſure; ſo neither, for any cauſe, which concerns things Spiritual, without the Clergy's conſent. For it is neceſſary, that a Judge, to be a competent one, have as well *poteſtatem in cauſam*, as in *perſonam*: and the Prince (as hath been mentioned in the firſt Theſis,) hath no authority to judge ſuch cauſes meerly Spiritual. To this may be added; that neither Heathen nor Heretical Prince can juſtly prohibit totally all that Clergy, whom the Church declares Orthodox, from entring into, or from preaching and otherwiſe officiating in Divine matters within his Dominions. And if he put ſuch to death for diſobeying this his Command, when as it is contrary to Gods, and Chriſts, who ſendeth them to all Nations, in effect he puts them to death for obeying Gods Command, and they dye *Martyrs*. As alſo the Primitive Martyrs were put to death for not obeying the Emperors Laws concerning matters of their Religion.

§. 7. 2. *Second:* As the Prince cannot thus eject or depoſe Clergy; ſo neither can he introduce any into the place of thoſe who are ejected or deceaſed, without the concurrence of the Clergy. For ſuch perſon muſt be ordained by the Clergy, before he can officiate; and muſt have the conſents or approbation of his Spiritual Superiors; a Biſhop of his Metropolitan; a Metropolitan, of

of his Patriarch; and alſo of the major part of the Clergy of the Province which he belongs to [*I mean Clergy Epiſcopal*] before he can be rightly ordained. See *Conc. Nic. can.* 4. and 6. And *Conc. Nic.* 2. *can.* 3. *Can. Apoſt.* 31. *Conc. Gen.* 8.^um *can.* 10. 12. 22. *Conc. Laodic. can.* 13 With the Conceſſions of Dr. *Field* of the *Church*, p. 581, and p. 551. And of Biſhop *Bramhal Vindic.* p. 257. and others quoted in *Chur. Gov.* 1 part. §. 9. And of *Maſon de Miniſt. Angl.* 4. l. 6. c. And of Mr. *Thorndike Right of the Church*, 5 c. p. 248, *&c.* Which Canons were purpoſely made to exclude for ever out of the Clergy thoſe, who are, in the common judgment of that Clergy, corrupt in manners, or factious in opinions. Tho Princes therefore, for the greater ſecurity of their civil Government, and for the recompence of the great Obligations which the Church hath to their Liberality and to their Secular power, may nominate and recommend a perſon to the Clergies Election; yet if they propoſe not any whom the Clergy thinks fit and canonical; the Clergy may refuſe ſuch preſentment; and, in caſe of no new preſentation of a perſon worthy, may elect ſome other to teach, officiate, *&c*, in any part of their Dominions: whom ſuch Princes ought not to refuſe, if he be no way prejudicial to the good of their civil Eſtate. For the Prince can neither prohibite to Chriſtians, tho his Subjects, all Paſtors; nor yet all ſuch Paſtors, as the Governors, whom Chriſt hath ſet over his people, only think worthy. See Mr. *Thorndike*, *Right of the Chur.* 5 c. And indeed all this is but neceſſary for the propogating, of the Goſpel againſt Infidelity, where the Prince is Heathen; and of the truth of the Goſpel, againſt Hereſy, where the Prince is, or at leaſt may be, a Sectariſt, amongſt all Nations without depending on any ones leave; and for the preſerving of the Church uniform, entire, and incorrupt, in her Doctrine and Diſcipline. For if Temporal Governors could at their pleaſure, or, as they thought meet, place and diſplace the Clergy, tho they cannot ſtate all Divine matters by themſelves, yet may they make the Church's Synods (which is all one)

to

to ſtate them according to their minds, either by introducing ſome *de novo* who are for them; (as Princes can never want thoſe who conform to, or at leaſt comply with, their judgment;) or by removing ſome who oppoſe them; and ſo making, the formerly leſſer, then, a major part in ſuch Aſſemblies. Thus *Conſtantius* an Arian, by unjuſtly diſplacing the Biſhops procured Arianiſme to be voted in ſeveral Eaſtern Synods.

§. 8. Meanwhile, let it here be granted; that, *cui conceditur regnum, neceſſario omnia conſentur conceſſa, ſine quibus regnum gubernari non poteſt*; and therefore that the civil power may judge and eject, and diſauthorize Spiritual perſons for matters of Secular Judicature, as Treaſon, and other moral and civil miſdemeanors damageable to the Common-wealth; and ſuch I ſuppoſe was the caſe of *Abiathar*. And if upon this it ſhould at any time happen; that the thus ejected be numerous; and the new ones introduced by any connivance of the reſt of the Clergy and by the importunities and threats of the Prince, ſhould be alſo heterodox and factious; and by this means the prevailing part of a Provincial, or National, Church, corrupt; yet whilſt Chriſt hath promiſed to preſerve the main body of his Church from ſuch corruption, we have ſome remedy from the General, for the delinquencies of ſuch a national Church: in that their Decrees are ſubjected to the Decrees of ſuperior Councels, nor may theſe decide any thing againſt thoſe; the next Theſis; which in ſuch caſe we muſt repair to.

§. 9. Theſ. 4. The Fourth *Theſis*: *That a Provincial or National Synod may not lawfully make any definitions, in matters of Faith, or in reforming ſome Error or Hereſy, or other abuſe in Gods Service, contrary to the Decrees of former ſuperiour Synods; or contrary to the judgment of the Church Univerſal of the preſent age ſhewed in her publick Liturgies*; which judgment is equivalent to that of a General Council of the ſame age. See this Propoſition amply proved in 2. Part. §. 27. and 44. and 55. *&c.* and in many other places of the precedent Diſcourſes.

The

The Fifth *Theſis*: That, could a National Synod make ſuch definitions, yet that a *Synod wanting part of the National Clergy, unjuſtly depoſed* or reſtrained; *and conſiſting partly of perſons unjuſtly introduced*, partly *of thoſe who have been firſt threatned*, with fines, impriſonment, deprivation, in caſe of their non-conformity to the Prince's Injunctions *in matters meerly Spiritual*; *is not to be accounted a lawful National Synod*, nor the Acts thereof free and valid; eſpecially as to their eſtabliſhing ſuch Regal Injunctions. §. 10. *Theſ.* 5.

The Sixth *Theſis*; *That the judgment* or conſent *of ſome Clergy-men* or Biſhops *of a Province*, whether ſitting by themſelves, or joyned with ſome of the Laity, *cannot be called the judgment* and conſent of the *Clergy, or Church of that Province* (tho the Metropolitan be one of them) when theſe are only ſome ſmaller part of ſuch Clergy. See *Can. Apoſt.* 35. *Conc. Antioch.* 9. c. Neither, ſince the Clergy is in its ſelf a ſubordinate and united body, can the Prince, when following the directions of ſome few Clergy, whom he knows or fears to differ in their judgment from the main body thereof, be ſaid to be guided by his Clergy, but to go againſt it. For if ſome ſmaller part of the Clergy joyned with the Prince could by this outweigh the reſt, what opinion can the Prince entertain ſo extravagant, wherein he cannot draw ſome Church-men to his ſide? §. 11. n. 1. *Theſ.* 6th.

Much leſs may an Act of Parliament be urged for an Act of the Clergy, becauſe the Lords Spiritual ſit therein; or becauſe it commonly runs thus: [*Be it Enacted by the Kings moſt Excellent Majeſty, and by the Lords Spiritual and Temporal*] unleſs it be firſt ſhewed, that the major part of the Biſhops of the Nation gave their conſents therein. For ſince, herein, the Clergy do vote together with the Laity; and ſince it is enough, if the major part of the Parliament vote any thing, to promulgate it as an Act of all the Members thereof, and to uſe the form above-named; ſo long as the others Members have no Negative voice to what is paſſed by this major part; It would hence follow, that it were an Act §. 12. n. 2.

of the Clergy, or Synodal, where, not one, or where only ſome few, of the Clergy do give their conſent, if ſo be that the Laity, that vote with them, do equal or exceed their number. So *An.* 1. *Eliz.* the reintroducing of the Proteſtant Religion paſſed as an Act of the Lords Spiritual and Temporal and Commons aſſembled in Parliament, when all the Biſhops, therein preſent, oppoſed it. See *Camden's An.* 1. *Eliz.* And 1. *Eliz.* 1. c.. 1. *Eliz.* 1. c.

§. 13. The Seventh *Theſis*: That, tho Secular Princes were allowed to have a deciſive power in ſome matters of Faith, ſuch as are no way formerly determined (which is contrary to the Firſt and Second *Theſis*) yet, for ſuch points as have been formerly determined on any ſide, here, *ſince a National Synod may not define any ſuch thing contrary to former ſuperior Councils, much leſs may any Secular perſon define any ſuch things contrary to thoſe Councils*; or alſo contrary to a National Synod. *Theſis* 7th.

§. 14. The Eighth *Theſis*: That, as touching Divine truths and matters of Faith (ſpoken of hitherto;) ſo now for things of meer Eccleſiaſtical Conſtitution, and not Divine Command, *Neither National Synod nor Secular power may make any new Canons concerning the Government and Diſcipline of the Church contrary to the Eccleſiaſtical Conſtitutions of former ſuperior Councils, nor reverſe thoſe formerly made by them*; at leaſt, ſo many of theſe; as neither the Prince can ſhew ſome way prejudicial to his civil Government; nor the National Synod can ſhew ſome way more prejudicial to their particular Church, than the ſame Conſtitutions are to the reſt of Chriſtian Churches See this *Theſis* proved in *Chur. Gov.* 2. Part. §. 63. And 3. Part. §. 13. n. 3. And §. 27. n. 2. *Theſis* 8th.

§. 15. Theſe *Theſes* being ſet down whereby to judge of the Regularity of a Reformation; let us now view the carriage thereof here in *England* in the time of *Henry* the Eighth, *Edward* the Sixth, and Queen *Elizabeth*; and how far it hath deviated from them. Touching which Reformation, I would deſire you to read together with theſe my Obſervations what is related in defence thereof

of by, Dr. *Hammond*, *Schiſm*, 7. c. Dr. *Fern* in Conſiderations touching the *Reformed Church*, 2. and 9. Chap. And Dr. *Heylin*'s Treatiſe called the *Reformation of the Church of England Juſtified*; leſt I may have related ſome things partially, or omitted ſome things conſiderable, in this matter.

§. 16. 1. *Three Heads of this Diſcourſe.*

And here, confining my Diſcourſe to Three Heads, I will firſt give you an account, how *the Clergy*, in *Henry the Eighth*'s *days*, were at the beginning *induced to acknowledge the Kings Supremacy in Spiritual matters* after another manner, than his Predeceſſors had exerciſed it formerly: and, how far only at firſt they ſeem to have allowed it. [I ſay *after another manner than his Predeceſſors had exerciſed it formerly.* Becauſe ſome Supremacy, namely this; of aſſembling a Synod of the Clergy, upon Temporal puniſhments in caſe of Diſobedience, by their Writs (the ancient form of which ſee in Dr. *Heylin*, p. 4.) when any urgent occaſions required: as likewiſe of enjoyning to all their Subjects, as well Clergy, as others, upon Temporal Penalties, the obſervance of the Decrees and Conſtitutions of ſuch Synods, or of any other former lawful Councils (ſuch as the Clergy ſhall acknowledge to have been the Decrees thereof) theſe Supremacies (I ſay) the Princes of this Land before *Henry* the Eighth, had and exerciſed; neither was any ſuch Supremacy uſurped, or interrupted, by the Pope. Neither do the Roman Doctors deny ſuch an external coactive Juriſdiction of Princes in Spiritual Affairs; 1. as to bind their Clergy, upon Temporal Mulcts, to meet together in Council, when the ſame Princes ſhall think it neceſſary; the Eccleſiaſticks being their Subjects, as well as Chriſts Clergy, and on this account bound to obey them, as well as their Spiritual Governors on the other; and there being often good cauſe of their aſſembling in order to the peace and welfare of the civil State committed to the *Princes* care, becauſe this dependeth much on the right Government of the Church committed to *theirs*. Provided only, that theſe Aſſemblies be ſo timed and diſpoſed by the 1.

Prince, as that the authority which our Saviour hath committed to the Church concerning the aſſembling of the ſame perſons be no way diſturbed thereby. For doubtleſs, when both at the ſame time cannot be done, their Service to the Church is to be preferred before that to
2. the State. 2. as to bind their Subjects, upon External and Temporal Mulcts and Puniſhments, to obſerve the Laws and Determinations of the Church. But, Firſt that the Governors of the Church have alſo power, upon Eccleſiaſtical Cenſures, to aſſemble a Synod of Clergy, when there ſeems need, tho the Prince oppoſe it, this indeed thoſe Doctors affirm. And ſecondly whether, in caſe that a Prince uſe his coactive Juriſdiction in Spiritual matters againſt the Definitions of the Church, then the Pope hath not alſo virtually ſome Temporal coactive power againſt the Prince, namely; to diſſolve the Prince's coactive power, or to authorize others to uſe a coactive power againſt ſuch a Prince, in order to the good of the Church, this they bring in queſtion. But then, as this laſt is affirmed by ſome of the Roman Doctors, ſo
2. it is oppoſed by others of them.] 2. We will conſider *what manner of Supremacy was afterward* by little and little *either challenged by the Prince*; or *by the Clergy*
3. *or Parliament given unto him, as his right.* 3. And *Thirdly how, according to this their conceived right, thoſe Three Princes acted.*

CHAP.

CHAP. II.

The Inducement of the Engliſh Clergy to acknowledge a Regal Supremacy in Spirituals.

I. Head.

§. 17. *How the Engl. Clergy were firſt induced to acknowledge a new Regal Supremacy in Spirituals.*

FOR the *Firſt*. *Henry* the Eighth, whether becauſe ſcrupulous in Conſcience, occaſioned by his Daughter *Mary*'s being offered in Marriage firſt to the Emperor *Charles* the Fifth, and then to *Francis* King of *France*; and by both refuſed (as is ſaid) upon this account, becauſe they doubted of the lawfulneſs of *Henry*'s Marriage with her Mother: or whether becauſe much enamoured on another Lady *Anne Bullen*, Daughter to the Treaſurer of his Houſhold, and an Attendant on the Queen [yet between whom and him it is ſaid, that the King was conſcious of ſome Impediments, why he could not lawfully marry her, for which an Act of Parliament 28. *Hen.* 8. 7. c. never after repealed plainly declared her Daughter *Elizabeth* uncapable of the Crown: and of which thoſe words in the Diſpenſation procured from *Clement* the Seventh. *Etiamſi illa tibi aliàs ſecundo aut remotiori conſanguinitatis, aut primo affinitatis gradu, etiam ex quocunque licito vel illicito coitu, proveniente invicem conjuncta ſit*, do give ſome ſuſpicion.] Had a great deſire, after Twenty years cohabitation, to be divorced from Queen *Katherine*, becauſe having been formerly his Brother's Wife. Cardinal *Wolſey* being made the Biſhops Legate together with Cardinal *Campegius* for the hearing and determining this matter, tho at firſt he much correſponded with the King's Inclinations, having deſigned his Matching with the King of *France* his Siſter (as is thought) from ſome Self-intereſts; yet, when he diſcovered the King's Affections ſettled on *Anne Bullen*, one inclined to Lutheraniſme, he proves averſe now to what he had formerly advanced, and delays the deciſion of the Divorce ſo long, till at laſt the Pope,

See Fox *p.* 988. 1036.

Pope, moved thereto by the Emperor, Nephew to Queen *Katherine*, did, upon her appeal, revoke the cauſe to *Rome*, and inhibited the Legats Proceedings. 'Tis ſaid alſo, that ſome others of the chief of the Engliſh Clergy, whether it were conſcientiouſly, or out of the ſame diſ-affection of their's to *Anne Bullen*, I cannot tell, much diſliked the ſame Divorce.

See Fox *p.* 96. *and* 962. *Edit.* 1610.

§. 18. The King, for this, much diſpleaſed with both Cardinal and Clergy, firſt accuſeth the Cardinal to have incurred a Premunire, for having exerciſed his Legantine Office in his Dominions, without the Kings Licence, contrary to a Statute made in the days of King *Richard* the Second. Yet had the King formerly been pleaſed to appear before him in Court, as the Popes Legate, and his delegated Judge, together with *Campegius*, in the Cauſe of the Kings Divorce. Upon this he is condemned, and all his Eſtate ſeized on by the King. Tho the Cardinal pleaded: 'That it was well known to his 'Majeſty that he would not preſume to execute his power 'Legantine before the King had been pleaſed to ratify 'it, with his Royal Aſſent given under his Seal, which 'notwithſtanding he could not produce, that and all 'his Goods being taken from him. See *Godwin*'s *Annals* p. 107. who alſo (p. 119.) ſaith; that it was certain that *Wolſey* was Licenſed to exerciſe his Authority Legantine.

See Godw. *Annal. An. Reg.* Henr. 21.

See Godw. *Annal. p.* 107, *and p.* 119.

§. 19. After this fall of *Wolſey*; Next a Bill was given up in the Parliament held 1530. (and the Summe demanded from the Clergy, as conſpiring with the Cardinal,) of an 100000 l. Charges, that the King had been put to, to obtain ſo many Inſtruments from Forreign Univerſities, which had decided this matter. From which Univerſities the King is ſaid to have procured their Suffrages for his Divorce not without feeing ſeveral of them with great Summs of Money. Concerning which ſee the Teſtimonies of ſeveral Authors produced by *Sanders* (p. 49. *&c.*) Some of thoſe he qnotes ſaying, that they had Money offered to themſelves; ſome, that they were Eye-witneſſes of it received by others. [Tho (with

(with your leave to make here a little digreſſion touching this Controverſy) theſe Univerſities, at leaſt ſome of them, conſidered only the point of the unlawfulneſs of one marrying his Brothers Wife, when ſuch former Marriage was conſummate by carnal knowing of her (See the Determinations of *Paris*, and others in *Hollinſh.* (p. 924.) putting in the Clauſe; *ſo that the Marriage be conſummate.)* Without conſidering that circumſtance, whether *Katherine* was carnally known by her firſt Huſband, which was denied by the Queen and her Advocates (Prince *Arthur* being thought ſomewhat infirm, and being but Fifteen years old when he Married her, and dying ſhortly after.) You may ſee, if you have the curioſity, what is ſaid *for* the conſummation of that Marriage in *Fox Mon.* p. 958. Edit. 1610. *againſt* it in *Sanders de Schiſm Angl.* l. 1. p. 40. Yet, tho the former Marriage had been conſummate, many Learned Men of that Age of ſeveral Nations (amongſt whom were *Fiſher* Biſhop of *Rocheſter*, and *Tonſtall* Biſhop of *Dureſme*) whom you may find diligently reckoned up to the number of almoſt Twenty by *Sanders de Schiſm Angli.* 1. 1. p. 42. 53, 54. writ Books in Juſtification, that the Marriage of *Henry* with *Katherine* was a matter diſpenſable. For tho this was agreed on all ſides, That *Papa non habet poteſtatem diſpenſandi in impedimentis jure divino naturali conjugium dirimentibus, ſed in iis quæ jure Canonico tantum dirimunt:* Yet ſome of theſe Authors held firſt, that all the Impediments named in the Moſaical Law were not *dirimentia conjugium jure divino naturali* (which only now oblige Chriſtians:) and then ſecondly that, in matter of Affinity, only *primus gradus rectæ lineæ*, as between Father and his Sons Wife, and not *primus gradus lineæ collateralis* or *tranſverſæ*, as between the Brother and his Brothers Wife, was ſuch an Impediment, as did *dirimere conjugium jure divino naturali*, and indiſpenſably. Others gathered the Law in *Levit.* 18. 16. diſpenſable in ſome caſes, from the expreſs diſpenſation made therein *Deut.* 25. 5. Now the preſervation of Peace between the two Kingdomes of *England* and *Spain*

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is a motive for ſuch diſpenſation much more conſiderable, than that mentioned in *Deut.* the preſervation of the name and honor of the deceaſed. (See *Card. Cajetan de Conjug. Reg. Angl.* 6. c.) And for the general judgment of the Learned in this matter, and particularly of the Univerſities, after you have read the Story in *Sanders*, p. 49, 50, 51. concerning them and eſpecially concerning *Oxford*, as likewiſe what is ſaid by Lord *Herbert. Hiſt. Hen.* 8. p. 324, 325. See what the Act of Parliament 1. *Mar.* 1. c. ſaith of them. *viz.* 'That this Mar-'riage betwixt *Henry* and *Katherine* was ſolemnized by the 'deliberate and mature conſideration and conſent of the 'beſt and moſt notable men in Learning, in thoſe days, of 'Chriſtendome. That the perverſe affections of ſome, a very 'few, perſons, for their own ſingular glory and vain 'reputation, pretended the ſame Marriage to be againſt 'the word of God: and to this intent cauſed the Seals 'as well of certain Univerſities in *Italy* and *France* to be 'gotten (as it were for a teſtimony) by the corruption 'with Money of a few light perſons Scholars of the ſaid 'Univerſities, as alſo the Seals of the Univerſities of 'this Realm to be obtained by ſiniſter working, ſecret 'threatnings, *&c.* And that Arch-Biſhop *Cranmer* in 'giving Sentence that the ſaid Matrimony was unlaw-'ful, took his Foundation, partly upon his own unad-'viſed judgment of the Scripture, joyning therewith the 'pretended teſtimonies of the ſaid Univerſities: and 'partly upon bare and moſt untrue conjectures [*i. e.* 'concerning the conſummation of the former Marriage 'of *Katherine* with *Arthur.*] And ſee what Lord *Herbert* delivers of the heſitancy of the *German Proteſtant Divines* (being ſeveral times and that long after the Divorce made requeſted thereto by King *Henry*) to declare the Divorce lawful p. 448. and 379. where he ſaith, *That for the Approbation of the Divorce propoſed to the German Divines* Luther, Juſtus Jonas, Philip Melancthon *and others, they delayed to approve it, and the King was judiciouſly adviſed by his Agents from thence, not to require any thing of them, which would be too hard to grant.* I have made this Digreſſion

greſſion to ſhew you the diverſity of opinions, which was in this difficult matter (that you may ſee the Pope ſtood not alone in his judgment:) and how the ſeveral intereſts of ſeveral times juſtified and condemned the ſame thing. Now to return to our matter in hand.]

The foreſaid Summe of 100000 l. ſpent upon the Univerſities abroad was demanded by the Parliament from the Clergy at home; becauſe it was ſaid, that the Cardinal, and ſome other chief amongſt them were, thro their falſhood and diſſimulation, the cauſe of this Forreign Expence: Which Summe they reſolutely refuſing to contribute, the whole Clergy are ſued by the King, and condemned by the Kings Bench in a Premunire alſo, for receiving and acknowledging the Cardinals Power Legantine, exerciſed by him ignorantly or preſumptuouſly, without the Kings conſent and allowance firſt obtained. The Clergy, thus become liable, at the Kings pleaſure, to the Impriſonment of their Perſons, and confiſcation of their Eſtates, aſſemble themſelves in the Houſe of Convocation; offer to pay for their Ranſome the demanded 100000 l. §. 19.

But the King, having now no hopes of obtaining a Licence for his Divorce from the Pope, (who at this time ſtood much in awe of the Emperor, victorious in *Italy*, and a near Kinſman and Favourer of Queen *Katherine*) that the Popes Decrees might be of no force againſt him, negociates alſo by his Agents with the Clergy, (whilſt, in theſe fears,) to give him the Title of Supremacy in Eccleſiaſtical matters within his Dominions; making account that, this obtained, he had the aſſent of his own Clergy at his beck for the nulling of his former Marriage. Therefore, in the drawing up of the Clergy's Petition to the King for releaſe of the Premunire, it was ſignified from the Court (*cujus conſilii* Cranmerus & Cromwellus *clam authores fuiſſe exiſtimabantur*; ſaith the Author *Antiq. Brittanic.* p. 325.) that a Title ſhould be prefixed, wherein they ſhould ſtile the King *eccleſiæ & cleri Anglicani Protector & ſupremum Caput*, or elſe the Petition would not be accepted. To §. 20.

which with ſome difficulty they agreed, ſo, as qualifying it with this Clauſe [*Quantum per legem Chriſti licet.*] But, the King again excepting at this limitation, as unworthy the Clergy (who either did or ought to know, and definitively inſtruct others, what Chriſts Law did, or did not, allow) at laſt upon renewed threats this Clauſe alſo was procured to be omitted. See *Antiquit. Britannic.* p. 326. *Sed Regi* (ſaith that Author) *diſplicuit ancipitem dubiamque mitigationem & moderationem verborum a cleri ſui Synodo, quæ de Chriſti lege aut certa fuit, aut certa eſſe debuit, tam frigide proferri. Itaque* Cromwellum *ad Synodum iterum mandans, eam aut tolli voluit, aut clerum incurſas Sanctionum pœnas pati. Omnium igitur ex ſententiis Rex ſine ambiguitate ullâ eccleſiæ Angliæ ſupremum caput declaratus eſt.* But yet this was not done; till after the Clergy, who much alledged, that the King, or ſome of his Succeſſors might, upon this Title, ruine the Church of *England* in their ordering Spiritual matters without or againſt the Clergy thereof, had obtained a voluntary promiſe from him to this effect: *That he would never by vertue of that Grant aſſume to himſelf any more power over the Clergy, than all others the Kings of* England *had aſſumed; nor that he would do any thing without them, in altering, ordering, or judging, in any Spiritual matters.* See Biſhop *Fiſher*'s Life publiſhed by Dr. *Bayly*. And this was the firſt Act of the Clergy, which, being ſo underſtood, as excluding all authority of the Weſtern Patriarch over the Church of *England*, and transferring ſuch authority for the future to the King is contrary to the Fourth *Theſis*: becauſe ſome ſuch authority was conferred on this Patriarch by Superior Councils. And which Act was ſo paſſed by them, that, as Dr. *Hammond* acknowledgeth (of Schiſm. 7. c.) it is eaſy to believe, that *nothing but the apprehenſions of dangers, which hung over them by a Premunire incurred by them, could probably have inclined them to it.*

See Church Govt. Part 2. 4. and §. 20.

§. 22. After the conceding of this Title of *Supremacy* to the King, and excluſion of the Pope's Authority out of his Dominions, and the voiding of all appeals made hence unto

unto him; and after the Kings Marriage to *Anne Bullen* alſo, but before the publication thereof; *Cranmer*, being now choſen Arch-Biſhop of *Canterbury*, upon the death of *Warham*, a Favourer of the Queen *Katherine*'s Cauſe, Summons her to appear before him and ſome other Biſhops and Commiſſioners; and, upon her neglect, ſolemnly diſſolveth the Kings former Marriage with her, and divorceth him from her.

§. 23. *And how far only at the firſt they ſeem to have allowed it.*

But, the Kings ends thus obtained, yet things reſted not here. 'But, whereas formerly till the Twenty fifth 'year of *Henry* the Eighth the Synods of the Clergy '(ſaith Dr. *Heylin* §. 1. p. 7.) after called by the Kings 'Writ, acted abſolutely in their Convocations of their 'own authority, the Kings or Parliaments aſſent or ra-'tification neither concurring nor required; and whereas 'by this ſole authority, which they had in themſelves, 'they made Canons, declared Hereſies, convicted and 'cenſured perſons ſuſpected of Hereſy, *&c.*: Now, they having declared the King ſupream Head of the Church, inſtead of the Pope the Weſtern Patriarch, it ſeemed reaſonable therefore that no Acts of the Church ſhould ſtand good without the concurrence of the Head: And conducing much to this end (as I learn from the fore-named Dr) was a Petition or Remonſtrance exhibited to the King by the Houſe of Commons (after the Ice was broken) *A.* 1532. 'In which (ſaith he) they, de-'ſiring that the Convocation ſhould be brought down to 'the ſame level with the Houſes of Parliament, and that 'their Acts and Conſtitutions ſhould not bind their Sub-'jects, as before, in their Goods and Poſſeſſions, until 'they were confirmed and ratified by the Regal power, 'they ſhewed themſelves aggrieved, that the Clergy 'of this Realm ſhould act authoritatively and ſupreamly 'in the Convocation and they in Parliament do no-'thing but as it was confirmed and ratified by Royal 'aſſent. An Anſwer unto which Remonſtrance (ſaith 'he) was drawn up by Dr. *Gardiner* then newly 'made Biſhop of *Wincheſter*, and being allowed of 'by both Houſes of Convocation was by them pre-

See Fuller's Appeal of Injur'd Innocence Pa. 2. p. 65.

'ſented to the King. But the King not ſatisfied with 'this Anſwer reſolved to bring them to his bent, and 'therefore on the Tenth of *May* ſent a Paper to them by 'Dr. *Foxe* (after Biſhop of *Hereford)* in which it was 'peremptorily required: that no Conſtitution or Ordi-'nance ſhall be hereafter, by the Clergy Enacted, pro-'mulged, or put in execution, unleſs the Kings Highneſs 'do approve the ſame, and his advice and favour be alſo 'interponed for the execution *&c.* Whereupon on the 'Fifteenth of the ſame Month they made their abſolute 'ſubmiſſion. So He. And thus the next ſtep therefore of this Reformation was; that, the King ſo requiring it, they bound themſelves by a Synodical Act, for the time to come, not to aſſemble themſelves at all without the Kings Writ; and when aſſembled, not to enact, promulge, or execute any Canons, Conſtitutions, Ordinances Provincial or Synodical, or by whatſoever name they ſhall be called, unleſs the King by his Royal aſſent command them to make, promulge, and execute the ſame. See for this the Preface of the Act of Parliament, Twenty fifth year of *Henry* the Eighth, 19. c. where it is ſaid; 'that the Clergy of the Realm of *England* had not only 'acknowledged, that the Convocation of the ſame 'Clergy, is, always hath been, and ought to be aſſem-'bled always by the Kings Writ; but alſo, ſubmitting 'themſelves to the Kings Majeſty, had promiſed in *verbo* '*Sacerdotii*, that they would never from henceforth pre-'ſume to attempt, alledge, claim, or put in ure, enact, 'promulge, or execute any new Canons, Conſtitutions, 'Ordinances, Provincial or other, or by whatſoever 'other name they ſhall be called; unleſs the Kings moſt 'Royal aſſent may to them be had, to make, promulge, 'and execute the ſame. (But they gave up alſo their power to execute any old Canons of the Church, without the Kings conſent had firſt thereto; as appears by what follows in the next Section.) The whole Debate with all the traverſes and emergent difficulties which appeared herein (ſaith Dr. *Heylin*) are ſpecified at large in the Records of Convocation 1532, which were well worthy

worthy the viewing. Now, if the Firſt and Second *Theſis* above-named ſtand good, this Act of the Clergy is utterly unlawful. For by this the Prince hath authority to hinder the Clergy from altering or reforming any former ſetled Doctrine in his Kingdome. As King *Charles* alſo in his Declaration before the 39 Articles manifeſteth; 'that he will not endure any varying or de-'parting in the leaſt degree from the eſtabliſhed Doctrine 'and Diſcipline of the Church of *England*'; *any varying*; *i.e.* by the Biſhops and Clergy in their Convocation. In what caſe then had the Reformation been, if former Princes, in the ſame language as King *Charles*, had uſed this pretended lawful power in prohibiting Biſhops *&c.* to attempt, enact, promulge, *&c* any thing contrary to the, then, here ſetled, Popiſh Doctrines?

To advance yet ſomewhat further. In the Preface of the ſame Act of Parliament the Clergy are alſo ſaid (which thing neither Dr. *Heylin*, Dr. *Hammond*, nor Dr. *Fern*, have ſufficiently weighed in their Relations of the Engliſh Reformation) to have humbly beſought the Kings Highneſs, that the *Conſtitutions and Canons Provincial or Synodal* which be thought to be prejudicial to the Kings Prerogative Royal, or repugnant 'to the Laws and Statutes of the Realm, or to be other-'wiſe overmuch onerous to his Highneſs and his Sub-'jects, may be committed to the judgment of his High-'neſs and of Thirty Two Perſons, Sixteen of the Tem-'poralty, and Sixteen of the Clergy of the Realm, to 'be choſen and appointed by the Kings Majeſty; and 'that ſuch Canons as *ſhall be thought by the more part of them worthy to be annulled, ſhall be made of no value*; *and ſuch other of the Canons as ſhall be approved to ſtand with the Laws of God* &c, *ſhall ſtand in power. Conſtitutions and Canons Provincial and Synodal*: not only ſuch as were the ſole Conſtitutions and Canons of the Synods of this Nation, which the like Synods may lawfully correct; but ſuch as were alſo the Canons of ſuperior Synods, which the Synods of this Nation could not lawfully annul. §. 23.

annul. This appears, both by the practice of their abrogating and reforming of ſeveral Canons, that were ſuch; (nay I think ſuch were all that were reformed:) and alſo by the Tenent, (See below §. 28. Statute 25. *Hen.* 8. 21. c.) that all the *Conſtitutions made only by mans authority* are by the King, being ſupream in his Dominions, as he thinks fit, *mutable. To ſtand with the Laws of God*: therefore any Canon, tho it were not againſt the Kings Prerogative or Law of the Realm, yet if thought by theſe Judges not to ſtand with the Laws of God, might be annulled. *Shall be thought by the more part of them.* Therefore an Act of the Laity in theſe Spiritual matters, if obtaining the conſent only of one Clergy-man, tho all the reſt oppoſe, nay if obtaining the conſent of the King, tho all the Clergy-Commiſſioners oppoſe, ſtands good, as being an Act of the major part.

§. 25. In this Act of the Clergy, if it be ſuppoſed a Synodical requeſt of the whole Clergy, and not only of ſome perſons thereof more addicted to the Kings Inclinations; and if Canons and Conſtitutions here be not reſtrained only to thoſe that ſeem ſome way to intrench upon the rights of Civil Power, or to ſome Eccleſiaſtical external Rites and Ceremonies: I ſee not, but that the Clergy here gives away to the King and to the Laity, at leaſt if aſſiſted with one or two, or indeed without any, Clergy, their Synodical power to conclude and determine matters of Faith, and to order the Government of the Church as they ſhall think beſt; ſince all the former Canons and Conſtitutions Synodal are not about matters of External Rite and Ceremony; but ſome, doubtleſs, concerning matters of Faith, and ſuch Chriſtian Practices, and Eccleſiaſtical Government and Diſcipline, as are preſcribed in the Holy Scriptures, and neceſſarily involve Faith; of all which Canons the 32 are now made Judges, what ſtands with Gods Law, or what is contrary thereto: and the *Reformatio legum Eccleſiaſticarum*, drawn up partly in *Henry* the Eighth's, partly in *Edward* the Sixth's time, by ſuch Commiſſioners (Reprinted

printed 1640) is found to meddle not only with Canons repugnant to Civil Government, or with Rites and Ceremonies; but with matters of, the Divine Offices, and Sacraments, Hereſies, *&c*, as appears in the very Titles of that Book. Now ſuch Act of the Clergy muſt needs be moſt unjuſt and unlawful, if the Firſt, or Second, or Seventh *Theſis* above-recited ſtand good

But, whatever ſenſe theſe words in the Preface of the Act were, or may be, extended to, I do not think, that the Clergy at firſt intended any ſuch thing, as to make the King or his Commiſſioners Judges of matters of Faith or Divine Truth; By which authority Princes might (as they alſo did) change Religion in this Kingdome at their pleaſure; but imagined, that, as they obliged themſelves to do nothing without the Kings conſent, ſo neither, in theſe matters eſpecially, ſhould the King do any thing without theirs: as may be gathered; Firſt, by the Promiſe they obtained from the King at their giving him the Title of Supream recited before. Secondly, by the Declaration of the Biſhops againſt the Pope, wherein they alledge againſt him the Third Canon of the Second General Council Enacting, *ut controverſiæ ab Epiſcopis Provinciarum, ubi ortæ ſunt, terminentur*; that all Cauſes ſhall be finiſhed and determined within the Province where the ſame began, *and that by the Biſhops of the ſame Province:* urged alſo by Biſhop *Tonſtal* in his Anſwer to Cardinal *Poole*. And Thirdly, By ſeveral of the ſaid Biſhops and particularly by this *Tonſtal*'s and *Gardiner*'s (of whom Dr. *Fern* ſaith: that *none could have written better againſt the uſurped Papal Supremacy, than theſe Biſhops did*) retracting their acknowledging of ſuch a Regal Supremacy: and that upon deprivation of their Biſhopricks and Impriſonment of their perſons, ſome in King *Edward*'s, and ſome in Qu. *Elizabeth*'s days: *retracting, &c* I ſuppoſe for this reaſon, becauſe by ſad experience they ſaw it much enlarged beyond thoſe bounds, within which only they formerly had maintained it juſt. And Fourthly, By the early Act of Parliament 24. *Henry* 8. 12. c. where, in the Preface-

§. 26.

1.

2. *See* Fox. *p.* 971.

3. *Examin. Champ.* 2. *c.* *p.* 69.

4.

face it is ſaid: 'That when any Cauſe of the Law Di-'vine cometh in queſtion, that part of the Body Poli-'tick called the Spirituality, now being uſually called 'the Engliſh Church, is ſufficient and meet of it ſelf, 'without the intermeddling of any exteriour perſon or 'perſons, to declare and determine all ſuch doubts; and 'where, in the Act, it is ordered, that ſuch Cauſes ſhall 'have their appeals from the Arch-Deacon to the Biſhop, 'and from the Biſhop to the Arch-Biſhop of the Province, 'and there to be *definitively and finally* adjudged. *Finally*, *i.e.* without any further appeal to the King. Neither can it be ſhewed, that expreſly this authority or juriſdiction, [' To repreſs, reform, correct, and amend all 'ſuch Errors, Hereſies, Abuſes, Enormities, whatſoever 'they be, which by any manner of Spiritual Authority 'or Juriſdiction ought or may lawfully be repreſſed, re-'formed *&c*, any Forreign Laws, Forreign Authority, 'Preſcription, or any thing or things to the contrary 'thereof, notwithſtanding,] tho it was allowed to the King as a Branch of his Supremacy by the Parliament, was conceded or voted by the Clergy, or pretended to be ſo; but was built, only by conſequence, upon the Clergy's recognizing him the ſupream Head of the Church of *England*; as appears in the Preface of that Act 26. *Hen.* 8. 1. c. By theſe things therefore it ſeems, that as yet all the Juriſdiction for determining Spiritual Controverſies, that was taken from the Pope, was committed to the Community of the Engliſh Clergy, or finally placed in the Arch-Biſhop of *Canterbury*. But you will find by what follows, that it long reſted not here, but was ſhortly after removed from hence into the hands of the King. And as it was thus with the Clergy; ſo in the Laity alſo in the Parliament its ſelf (in the new power given of altering and diſpenſing with former Church Laws 25. *Hen.* 8. 21. c.) there ſeemeth at firſt to have been a kind of jealouſy upon the new introduced Supremacy, leſt it might afterward proceed to ſome exorbitancy as to changing ſomething in the ſubſtance of Religion: Therefore in the forenamed Act

they

they inſert this *Proviſo*. 'Provided always, this Act nor any 'thing therein contained ſhall be hereafter interpreted, 'that your Grace, your Nobles, and Subjects intend by the 'ſame to decline and vary from the Congregation of 'Chriſts Church in any things declared by the Scriptures 'and the word of God neceſſary, concerning the very Arti-'cles of the Catholick Faith of Chriſtendome, or any other 'things declared by the Scripture neceſſary for your 'and their Salvation; but only to make an Ordinance 'by Polities neceſſary and convenient to repreſs vice, 'and for good conſervation of this Realm in peace, unity, 'and tranquility, from rapine and ſpoyl, inſuing much 'the old ancient Cuſtoms of this Realm on that behalf. 'Not minding to ſeek for any reliefs, ſuccors, or reme-'dies for any wordly things and humane laws in any 'caſe of neceſſity, but within this Realm at the hands 'of your Highneſs, which ought to have an Imperial 'power and authority in the ſame, and not obliged in 'any worldly Cauſes to any Superior. Upon which '*Proviſo* Biſhop *Bramhal* hath this note (*Schiſm Guarded* 'p. 63.) That if any thing is contained in this Law 'for the aboliſhing or tranſlation [i. e, *from the Clergy*] 'of power meerly and purely Spiritual, it is retracted 'by this *Proviſo* at the ſame time it is Enacted.

CHAP. III.

II. Head. *The Supremacy in Spirituals claimed by King* Henry *the Eighth.*

§. 26. *Concerning what Supremacy was afterward by degrees conferred on, or alſo claimed by, the Prince.*

II. WE have ſeen how far the Clergy and Laity alſo at firſt ſeem to have proceeded in the advancing of the Kings Supremacy. Now to come to the Second thing I propoſed to you: Concerning what Supremacy was afterward by degrees conferred on, or alſo claimed by, the Prince. After the Title then of *Supream* was thus yielded by the Clergy, as likewiſe, that they would thence-forward enact or publiſh no Synodal Decrees or Conſtitutions without the conſent firſt obtained of this their declared Supream, It was thus Enacted by the Authority of Parliament 26. *Hen.* 8. 1. c. 1. *In the times of* H. *the* 8th. 'That the King ſhall have and enjoy, united 'to the Imperial Crown of this Realm, all Juriſdictions 'to the ſaid Dignity of Supream Head of the ſame Church 'belonging: [which Juriſdiction how far it is underſtood to be extended, ſee 1. *Eliz.* 1. c. where it is Enacted] that ſuch Juriſdictions, Priviledges, and 'Preheminencies Spiritual and Eccleſiaſtical, as by any 'Spiritual or Eccleſiaſtical Power hath heretofore been 'or may lawfully be exerciſed or uſed for the Viſitation 'of Eccleſiaſtical State and Perſons, and for Reformation 'of all manner of Errors, Hereſies, Schiſms, *&c*, ſhall for 'ever by authority of this preſent Parliament be united 'and annexed to the Imperial Crown of this Realm. And further ſee the Act 37. *Hen.* 8. 17. which runs thus. 'Whereas your moſt Royal Majeſty is *juſtly Supream* '*Head in Earth of the Church of* England, and hath full au-'thority to correct and puniſh all mannner of Hereſies, 'Errors, Vices, and to exerciſe all other manner of Ju-'riſdictions commonly called *Eccleſiaſtical Juriſdiction:* 'Nevertheleſs the Biſhop of *Rome* and his Adherents have

'have in their Councils and Synods Provincial eſtabliſh-
'ed divers Ordinances, that no Lay-man might exer-
'ciſe any Juriſdiction Eccleſiaſtical, or be any Judge
'in any Eccleſiaſtical Court; which Ordinances or Con-
'ſtitutions, ſtanding in their effect, did ſound to be
'directly repugnant to your Majeſties being Supream
'Head of the Church, and Prerogative Royal, your
'Grace being a Lay-man. ---And whereas, albeit the
'ſaid Decrees by a Statute 25. *Hen.* 8 be utterly aboliſh-
'ed; yet, becauſe the contrary thereunto is not uſed
'by the Arch-Biſhops, Biſhops, *&c* (who have no man-
'ner of Juriſdiction Eccleſiaſtical, but by, under, and
'from, your Royal Majeſty) it giveth occaſion to evil
'diſpoſed perſons little to regard and to think the pro-
'ceedings and cenſures Eccleſiaſtical made by your High-
'neſs and your Vice-gerent, Commiſſaries, *&c*, to be
'of little or none effect, whereby the people have not
'ſuch Reverence to your moſt Godly Injunctions, as
'becometh them; In conſideration, that your Majeſty
'is the only and undoubted Supream Head *&c*, to whom
'by Holy Scripture all power and authority is wholly
'given, to hear and determine all manner of Cauſes
'Eccleſiaſtical, and to correct vice *&c*: May it there-
'fore be Enacted, that all perſons as well Lay, as thoſe
'that are Married, being Doctors of the Civil Law,
'who ſhall be deputed to be any Chancellor, Commiſſary,
'*&c*, may lawfully exerciſe all manner of Juriſdiction
'commonly called Eccleſiaſtical Juriſdiction, any Con-
'ſtitution to the contrary notwithſtanding. And ſee
Reformatio Legum Eccleſiaſticarum tit. de Officio & Juriſd. omnium Judicum. ---Rex tam in Epiſcopos, Clericos, &c, *quam in Laicos, pleniſſimam juriſdictionem tam civilem, quam Eccleſiaſticam exercere poteſt, cum omnis Juriſdictio & Eccleſiaſtica & Sæcularis ab eo tanquam ex uno & eodem fonte derivantur.*

Amongſt which Juriſdictions I underſtand alſo Ex- §. 27.
communication, Suſpenſion, and Deprivation *ab officio*; of which ſee more below p. §. 40. Not that I affirm the King did ever claim the right of exerciſing, (himſelf,)

this *power of the Keys*, but that he claimed this right (which is contrary to the Firſt *Theſis*) that no Clergy-man being a Member of the Church of *England* ſhould exerciſe it in his Dominions in any Cauſe, or on any Perſon, without the leave and appointment of him the Supream Head of this Church; nor any forbear to exerciſe, where he the Head commanded it: As, before the Reformation, the inferiour Clergy might not exerciſe any Church Cenſure contrary to the commands of their lawful Spiritual Superiors; which Juriſdiction of their former Spiritual Superiors was now enſtated on the King. *On the King.* Not as one ſubordinate to the Eccleſiaſtical juriſdiction herein: For ſo a Lay-perſon in *foro exteriori* or *contentioſo*, as 'tis called (which Court the Church uſed before any Prince was Chriſtian) may excommunicate ſometimes, tho not *ligare* or *ſolvere in foro interiori* or *pœnitentiali* (yet for the exteriour alſo, ſee what Proviſion is made againſt this in 16. *Caroli* 1. *Can.* 13.) But as one by God primarily inveſted with the diſpoſal thereof; from whom the Eccleſiaſtical Governors within his Dominions derive this authority, as you have ſeen in the Preface of this Act.

§. 28. Again in vertue of this Juriſdiction tranſlated to the King, by another Act of Parliament 25. *Hen.* 8. 21. c. the Supreme Power of giving all *manner of Licences*, Diſpenſations, Faculties, Grants, *&c.* for all Laws and Conſtitutions meerly Eccleſiaſtical, and in all Cauſes not being contrary to the Scriptures and Laws of God, is not only *taken from the Pope, but from the Clergy too*, and is committed to the Secular Power, contrary to the Eighth *Theſis*. [The Statute ſaith thus. 'That, where'as it ſtandeth with Natural Equity and good Reaſon, 'that in all humane Laws, in all Cauſes which are called 'Spiritual induced into this Realm, your Royal Ma'jeſty, and your Lords Spiritual and Temporal and 'Commons in Parliament [*where you ſee the Parliaments Supremacy, as to admitting or abrogating Eccleſiaſtical Conſtitutions, joyned with the Kings*] have full power 'and authority, not only to diſpenſe, but alſo to authorize

'rize ſome elect perſons to diſpenſe with thoſe and all 'other humane Laws of this your Realm, as the quality of 'the perſons and matter ſhall require: as alſo the ſaid 'Laws to abrogate, admit, amplify, or diminiſh. Be 'it therefore Enacted, That from henceforth every 'ſuch Licence, Diſpenſation, *&c*, that in caſes of ne-'ceſſity may lawfully be granted without offending the 'Holy Scripture and Laws of God, neceſſary for your 'Highneſs, or for your Subjects, ſhall be granted in 'manner following: that is to ſay: *the Arch-Biſhop of* Canterbury *ſhall have Power to grant them to your Majeſty*, '*&c.* And if the foreſaid Arch-Biſhop ſhall refuſe or 'deny to grant any Licences, Diſpenſations, *&c*; 'that then *upon Examination had, in your Court of* Chancery, *that ſuch Licences may be granted without offending againſt the Scriptures*, your Highneſs ſhall command the 'Arch-Biſhop to grant them *&c* under ſuch Penalties 'as ſhall be expreſſed in ſuch Writ of Injunction. And 'it ſhall be lawful to your Highneſs, for every ſuch de-'fault of the ſaid Arch-Biſhop; to give Power by Com-'miſſion to ſuch two Spiritual Prelates, or Perſons to 'be named by your Highneſs, as will grant ſuch Li-'cences and Diſpenſations.] Here the Supream Power of diſpenſing with Eccleſiaſtical Conſtitutions is aſcribed to the King and Parliament, as recognized Supream Head of the Church; and the Arch-Biſhop made his Delegate; and, after the Arch-Biſhop, the King, or his Court of *Chancery* made the laſt Judge, what things in ſuch Diſpenſations offend againſt Scripture, what not.

By vertue of the ſame Juriſdiction tranſlated to the King by an Act of Parliament 25. *Hen.* 8. 20. c. The neceſſity of the *Metropolitan's being confirmed by the Patriarch is taken away*; and the Clergy are bound, to admit and conſecrate what perſon ſoever the King ſhall preſent to any Biſhoprick upon Penalty of incurring a Premunire; and the Conſecration is to be performed by ſuch, and ſo many, as the King ſhall appoint. A thing contrary to the Third *Theſis*, and the Canons of former Superior Councils; and ruining the Church, when

when the Prince is Heretical. See the Statute.

§. 30. Again; it is Enacted by the Statute above-mentioned 26. *Hen.* 8. 1. c. That the King ſhould have full power, from time to time, to viſit, repreſs, reform, correct, and amend, all ſuch Errors, Hereſies, *&c*, as is ſet down but now, §. 25.

§. 31. Again; 25. *Hen.* 8. 19. c. It is Enacted by the ſame authority; That all ſuch Canons and Conſtitutions Provincial or Synodal which be thought prejudicial *&c*; as I have ſet it down before, §. 23.

§. 32. The like is Enacted 32. *Hen.* 8. 26. c. *viz.* That all ſuch *Determinations, Decrees, Definitions, and Ordinances,* 'as, according to Gods Word, and Chriſts Goſpel ſhould 'at any time hereafter be ſet forth by the ſaid Arch-'Biſhop and Biſhops and Doctors in Divinity, now ap-'pointed, or hereafter to be appointed by his Royal 'Majeſty; or elſe by the whole Clergy of *England* [*either by the one, or by the other, therefore is the latter not held neceſſary, but the former ſufficient with the Confirmation of the Head*] in and upon the matter of Chriſts Religion 'and the Chriſtian Faith *&c* by his Majeſties advice and 'confirmation under the Great Seal, ſhall be by all his 'Grace's Subjects fully believed, obeyed, obſerved and 'performed to all purpoſes and intents upon the pains 'and penalties therein to be compriſed. [Where note that whereas under the Reformation private men are tyed only to obey and believe the Definitions of Councils, when they are ſet forth according to Gods Word; *i. e*, when private men think them to be ſo: Yet here this Liberty was thought fit to be reſtrained; and private men tyed to believe theſe Definitions, when ſet forth *as* according to Gods word; *i. e*, when the ſetters forth deem them to be ſo. To obey a thing defined according to Gods Word, and to obey a thing defined *as* being according to Gods word, are Injunctions very different.]

§. 33. Again, whereas the Act 24. *Hen.* 8. 12. c. ſet down before, §. 25. ordered *Appeals in Cauſes Spiritual* to be finally adjudged by the Arch-Biſhop of the Province: It is Enacted by Parliament 25. *Hen.* 8. 19. c. Firſt, That

'That no manner of Appeals ſhall be made out of the 'Realm to the Biſhop of *Rome* in any Cauſes or Matters 'of what Nature ſoever. Secondly, That, for lack of 'Juſtice in the Court of the Arch-Biſhop; Commiſſio-'ners, by the Kings Highneſs to be appointed, ſhall 'have full power and authority, to hear and definitively 'to determine every ſuch Appeal, with the cauſes and 'all circumſtances concerning the ſame; and no further 'Appeals to be made. Theſe Commiſſioners therefore, (appointed by the King,) are the ultimate and unappealable Judges after the Arch-Biſhop in all Spiritual matters; of which doubtleſs many are concerning what is lawful or unlawful by Gods Word; wherein according to the Canon when they were Cauſes of moment, Appeals were formerly made from the Biſhop to a Synod, or to the Patriarch.

Again; 25. *Hen.* 8. 14 c. It is Enacted by authority of Parliament: 'That no ſpeaking, doing, or holding 'againſt any Laws called *Spiritual Laws*, made by au-'thority of the See of *Rome*, by the Policy of Man which 'be repugnant to the Laws and Statutes of the Realm, 'or the Kings Prerogative, ſhall be deemed to be *Hereſy*. From which all that I would note is this: that the King and Parliament undertake to be Judges of Hereſy, and do declare, that no Laws of the Realm nor the Prerogative aſſumed by the King have any thing of Hereſy in them. ---Again; it is Enacted by Parliament 34, 35. *Hen.* 8. 1. c. 'That if any Spiritual Perſon or Perſons 'ſhall preach or teach contrary to the Determinations 'which ſince *An. Dom.* 1540, are or ſhall be ſet forth 'by his Majeſty as is aforementioned; that then every 'ſuch Offender offending the third time contrary to this 'Act ſhall be deemed and adjudged an Heretick, and 'ſhall ſuffer pains of death by Burning. Where the King is made the ultimate Judge of Hereſy, without any Appeal, as appears by the former-quoted Act 25 *Hen.* 8. 19. c. contrary to the Firſt and Seventh *Theſis*. And the Proteſtants, in uſtifying this Supremacy, muſt allow their own Condemnation, if teaching againſt any thing written §. 34.

written in the Book called the *Inſtitution of a Chriſtian Man*; Or, *A Neceſſary Doctrine* for all ſorts of People, ſet forth by the King's Authority at that time; or againſt the *Six Articles*, which were in the ſame Act Eſtabliſhed; as likewiſe in 31. *Hen.* 8. 14. c. the Publiſhing of which Act (ſaith Lord *Herbert*, p. 447.) gave no little 'occaſion of murmur; ſince to revoke the conſcience, 'not only from its own Court, but from the ordinary 'ways of reſolving Controverſies; to ſuch an abrupt de- 'ciſion of the Common-Law, as is there [Stat. 31. *Hen.* §. 35. n. 1. '8. 14. c.] ſet down, was thought to be a deturning 'of Religion from its right and uſual courſe. Now to reflect a little upon theſe ſeveral Acts fore-quoted.

1. 1. Whereas it is ſaid by Biſhop *Bramhal* (*Schiſm Guarded* §. 3. p. 262. the Title of which Section is, That *Henry* the Eighth made no new Law. See likewiſe his *Vindic.* 1. p. 86.) 1. 'That theſe Statutes of *Henry* the Eighth, 'were only declarative of old Law, not enactive of new Law, proving it by the authority of *Fitz-Herbert*, and of 2. the Lord *Coke* (*Reports*, Fifth Part.) And 2ly (*Schiſm Guarded*, p. 61, 62.) 'That theſe Statutes do attribute 'no Spiritual Juriſdiction to the King at all, ſave only 'an External Regiment by coactive Power in Eccleſi- 3. 'aſtical Cauſes in *foro contentioſo*. [For the *Firſt* of theſe, if you pleaſe to compare the Clauſes of the Statutes n. 2. before rehearſed, with the former Statutes of this Land diligently collected by the Lord *Coke* (*Reports*, Fifth Part) and with thoſe alſo mentioned by Biſhop *Bramh. Vindic.* 4. c. p. 63. *&c.* You ſhall find no ſuch thing, if you take all and all the extent of King *Henry*'s Statutes. You may find Appeals to the Pope (or other Forreign Judge,) and Bulls or Excommunications or Legations from him (except that of the Biſhop of *Canterbury* who was *Legatus natus*) to have been prohibited by former Laws; that is, *in ſome particular Caſes*, wherein the Prince conceived Himſelf or his Subjects to be injured thereby in his or their *Temporal* Rights, Profits, Securities, or alſo in ſome Eccleſiaſtical Indulgements obtained formerly from the Pope, (See that Indulgement granted to King *Edw.*

the

the Confeſſor. *Vobis & poſteris veſtris Regibus, &c.* in *Spelm. Conc. A.* 1066. Biſhop *Bramhal*'s *Vindic.* p. 66.) [This appears in that much urged Statute 16. *Rich.* 2. 5. c. quoted in *Vindic.* p. 80. where, upon pain of a Premunire, all are prohibited to purchaſe any Bulls or Sentences of Excommunication from *Rome.* But this is in certain Caſes only (ſee *Vindic.* p. 81.) Caſes indeed Eccleſiaſtical; but ſuch as were conceived contrary to the Temporal Rights of the King and his Subjects (which, all Eccleſiaſtical matters (I hope) neither are, nor are pretended to be) *viz.* theſe Caſes. *Popes refuſing the King's or other Laity's Preſentment of a Perſon to the Benefices of the Church* [that is of ſuch a Perſon whoſe Orthodoxneſs and Canonicalneſs the Clergy cannot queſtion.] Again; *The Tranſlation by the Pope of Engliſh Biſhops out of the Realm without the Kings aſſent,* whereby '(ſaith the Statute) the Kings Liege Sages of his Coun-'cil ſhould be without his aſſent, and againſt his Will 'carried away and gotten out of his Realm, and the 'Subſtance and Treaſure of the Realm ſhall be carried 'away, and ſo the Realm deſtitute as well of Council, 'as of Subſtance [*ſurely theſe are Temporal Conſiderations*] 'and ſo the Crown of *England*, which hath been ſo free 'at all times that it hath been in no Earthly Subjection, 'but immediately ſubject to God in all things [*not abſolutely as the Biſhop repreſents it* Vindic. p 80. *but in all 'things*] touching the Regality of the ſame Crown, and to 'none other, ſhould be ſubmitted to the Pope, *&c.* [*the Regality*; (*that is*) *in thoſe Temporal things above named.*] In theſe Caſes Bulls, *&c*, from the Biſhop of *Rome* were prohibited, as infringing the Civil Rights. And to 'this Statute in ſuch caſe (it is ſaid there) the Lords 'Spiritual gave their conſent: But meanwhile making 'Proteſtations (ſaith the Statute) that it is not their 'mind to deny or affirm that the Biſhop of *Rome* may 'not excommunicate Biſhops, nor that he may make 'Tranſlation of Prelates after the Law of Holy Church. And *Richard* the Second, notwithſtanding this Act, was far from the denying the Popes Supremacy in his Realms

as to many other reſpects, as appears by his zealous ſupporting of *Urban* the Sixth in it. 2. *Rich.* 2. 7.] Again you may find perhaps Appeals, Bulls, *&c*, prohibited, in general, without the Kings conſent firſt obtained thereto; But this not out of an intention of ſuppreſſing all ſuch Appeals, or Eccleſiaſtical Laws or Cenſures whatſoever coming from the Pope or other Spiritual authority abroad, or out of an intention of denying theſe in ſeveral Caſes to be rightfully belonging unto them: but only out of an intention to examine them firſt, whether any thing were contained in them prejudicial to the Temporal and Civil Rights, and Emoluments and Priviledges of the Prince and of his Subjects, that the Mitre might not encroach upon the Crown; both which have their certain limits of Juriſdiction, and may do wrong one to the other. Such authority as this (then) in Church-matters you may find exerciſed by former Princes of *England*; or perhaps ſome other power uſed by them againſt the Church, and defended by the common Lawyers of thoſe days, more than is juſtifiable. But, on the other ſide, I think you will not find either aſſumed by the Prince, or allowed to him by any Statutes before the times of *Henry* the Eighth, ſuch Powers in Eccleſiaſtical matters, as ſome of theſe following. Namely; *A Power* to correct and reform all Errors and Hereſies in Religion by ſuch perſons, as the Prince ſhall appoint to judge thereof, half of them being Laicks, repealing alſo the former courſe of tryal of them by the ordinary Church-Magiſtrates, as you may ſee below, §. 39. *A Power* to make and reverſe Eccleſiaſtical Laws, alter the Church Liturgies, publick Forms of adminiſtring the Sacraments, Ordinals, *&c* without the conſent of the major part of the Clergy or any lawful Church Authority. *A Power* to hinder and prohibite the Clergy, that they may correct or reform any ſuch Hereſies, or may make or publiſh any ſuch Eccleſiaſtical Decrees or Laws within the Kings Dominions without his conſent thereto firſt obtained. *Without his Conſent*, not to examine, whether ſuch their Conſtitutions might be any way

way prejudicial to the State Temporal (for this were but meet and juſt) but whether ſuch be agreeable or repugnant to Gods Word, and dangerous to the Peoples Salvation and Spiritual State. *A Power* thus in all Cauſes Eccleſiaſtical, Licences, Faculties, Diſpenſations, to be the final Judge (by himſelf or by his Court of *Chancery* or by ſome other Deputies whom he pleaſeth to chooſe) to whom Appeal may be made concerning what is agreeable, or what repugnant to the Holy Scripture. *A Power* to reſtrain all Forreign Appeals and Cenſures from thence, not only in all Caſes mixt with the Intereſts of the Temporal Government, but alſo in all matters meerly Spiritual and of Eccleſiaſtical Cognizance. *A Power* to prohibit or reverſe any Eccleſiaſtical Conſtitutions of Councils Patriarchal or General, tho in things wherein Temporal Regalities or Prerogatives, or the Temporal ſafety and peace of the people is not concerned; but, as I ſaid, upon pretence of their being conceived to contain ſomething repugnant to Gods Law. *A Power* to hinder that no Eccleſiaſtical Governors may call any Synod or Aſſembly within his Dominions, nor exerciſe in *foro externo* any Eccleſiaſtical Cenſures without his conſent. *A Power* to command ſuch perſons to be inducted and inſtituted in Eccleſiaſtical Benefices and Dignities, whom the lawful Eccleſiaſtical Power refuſeth as Unorthodox or Uncanonical. Laſtly, *A Coactive Power* in *foro externo* ſo far extended, as that it leaves, for the Clergy (as independently belonging to them,) only an Internal Power or Juriſdiction in the Court of Conſcience: or an Habitual Power of Preaching, Adminiſtring the Sacraments, exerciſing the power of the Keys in *foro conſcientiæ*, ordaining and degrading Eccleſiaſticks; but *without any Liberty* actually or lawfully to exerciſe the ſame in any Princes Dominions, if he denyeth it: *without any Power* allowed to the Clergy to ſummon Offenders in *foro externo*, and to puniſh them with the Spiritual Sword, either for their convicted crimes, or for non-appearance, and this whether Secular Princes either favour or oppoſe: *without*

See Schiſm Guard. d *p.* 61. 161. Vindic. *p.* 268.

any Power to call or keep any publick Aſſemblies for publick Worſhip, for deciſion of Controverſies in Religion, for making Church Laws, *i. e.* ſuch as prejudice no Temporal Rights, and publiſhing and impoſing the ſame Determinations and Canons (upon Eccleſiaſtical Cenſures) upon the Church's Subjects, in the ſeveral Dominions of Princes, whether they conſent or reſiſt. *Without any Power* of their electing and ordaining future Clergy in the ſeveral Dominions of Princes Chriſtian as well as others; whenever theſe Princes ſhall propoſe or aſſent to the admiſſion of no ſuch perſons, as they (I mean the lawful Church Authority) ſhall judge Orthodox and capable. Such Powers are not mentioned, at leaſt clearly, by Biſhop *Bramhal* to belong to the Clergy, but ſeem to be ſwallowed in the Coactive Power of the Prince. Such Powers were in the poſſeſſion of the Church independently on Princes for the firſt Three Hundred Years. Such Powers being tranſlated to the Secular Governors (when Chriſtian) do arm them (when Chriſtians Heretical) to change and overturn the Church in their Dominions as they pleaſe, whilſt the Clergy ought not to contradict. Such Powers are ſaid to belong to the Prince ſince the Reformation (and indeed without theſe the Reformation could not well have been effected) and I think are given to them in the fore-quoted Statutes. If theſe Powers are ſaid not to belong to theſe Princes, let them name which of theſe are not. But Laſtly, ſuch Powers cannot be ſhewed to have been given, or been due, to our Kings by the former Laws, unleſs we will believe that the Laws of the Land then contradicted that Obedience, which thoſe Princes yielded to the Church; or that thoſe Princes, even when moſt fallen out with the Church, would voluntarily forego ſo many of their rights.

§. 35. n. 3. Thus much to the firſt Defence uſed by Biſhop *Bramh.*

2. *That* Henry *the Eighth's Statutes were only declarative of the former Laws.* For the ſecond thing ſaid by him, *That King* Henry *the Eighth by theſe Statutes claimed only an External Coactive Power in Cauſes Eccleſiaſtical in* foro contentioſo; if by External *Coactive Power*

Power he meaneth the exerciſing of all thoſe Powers, which I have but now named, with Coaction and the Material Sword, then the Secular Prince ſeems to aſſume and exerciſe ſeveral of thoſe Powers which are only the Churches rights. But if by *Coactive Power* he meaneth only the Kings calling of the Clergy together to conſult of Church Affairs, and his aſſiſting with the Secular Sword their Conſtitutions and Decrees, and making their Laws his own by Temporal Mulcts and Penalties, and compelling particular Clergy, as well as Laity, to do that which the Church declares to be their duty; *compelling*, I ſay, with outward force, for herein the Biſhop ſeemeth to place the Kings Power in Spiritual matters [See *Schiſm Guarded*, p. 93. 'How 'can the Pope (ſaith he) pretend to any Coactive power 'in *England*, where the Power of the Militia and all Co-'active force is legally inveſted in the King? And p. 92. 'The Primitive Fathers did aſſemble Synods and make 'Canons, *&c.* But they had no Coactive Power to 'compel any man againſt his Will; the uttermoſt they 'could do was to ſeparate him from their Communion. 'And p. 166, Who can ſummon another mans Subjects 'to appear where they pleaſe, and impriſon and puniſh 'them for not appearing without his leave? Likewiſe p. 168. and compare them with his former Saying, p. 92.] If thus the Biſhop will have Secular Princes to have nothing to do in the making or hindring any Decrees or Laws of the Church-men in matters meerly Spiritual; but only to have ſuch a ſole dominion over the Secular Sword, as that none can uſe it but he, or by his leave, in the execution of ſuch Laws, all is well: but then the former-quoted Statutes of *Henry* the Eighth ſhew much more Power challenged, than the Biſhop alloweth. This in Anſwer to the Biſhop.

Secondly, If it be further ſaid here touching that particular Statute of much concernment 26. *Hen.* 8. 1. c. quoted before §. 26, and §. 25. [Namely; 'That the 'King ſhall have full power from time to time, to *viſit*, 'repreſs, reform, all ſuch Errors, and Hereſies, as by any 'manner

2.
§. 25. n. 4.

'manner of Spritual Authority *&c* lawfully may be re-
See §. 25. formed, *&c.*] If it be ſaid here; that the King hath only this power therein aſcribed to him, to redreſs and reform the Errors and Hereſies, which are declared ſuch by the Church, by former Councils, or by the Synods
1. of his Clergy; but, that he hath no power given him to judge or declare, what is Error, or Hereſy. 1. *Firſt* thus then he hath not all the power given him, which by any manner of Spiritual Authority or Juriſdiction may be exerciſed (as it follows in that Act) becauſe there is a Spiritual Authority alſo, that may declare new Errors and Hereſies, or that may reform ſuch Errors, as
2. have not been by Synods formerly declared ſuch; and it ſeems this He hath not. *Secondly*, Thus the Clauſe ending the Act [*any Cuſtome, Forreign Laws, Preſcription*, &c, *notwithſtanding*] is utterly uſeleſs; becauſe no Forreign Laws, or Preſcriptions deny this Authority to Kings, to reform Errors *&c* in their Dominions; ſo that they
3. ſtill confine themſelves to the precedent Judgments of the Church. *Thirdly*, In the Act fore-quoted 25. *Hen.* 8. 19. c. 'Tis granted to his Highneſs and Thirty Two Commiſſioners elected by him, to annul and make invalid what former Synodal Canons they think not to ſtand with the Laws of God; therefore they have power to judge, which Canons are ſuch, and to reform them, *i.e.* to teach and declare the contrary truths to them, when thought by them Errors, againſt the judgment of former Synods, and without the judgment of a new Synod; and what is this but to judge and pronounce
4. *de novo*, what is Error, and Hereſy, Enormity, Abuſe, *&c*? *Fourthly*, Laſtly; how comes the King or his Commiſſioners to be made the ultimate judge (See before §. 31. 25. *Hen.* 8. 19. c.) in all Appeals touching Divine matters, if he or they cannot judge in theſe, what is Error? Since ſome Cauſes and Controverſies may haply come before him, not determined by former Councils. And, for the Errors he reforms, if he is ſtill to follow the judgment of his Clergy what are ſuch Errors; how are there in theſe things Appeals admitted to him from the judgments of his Clergy? This

This ſaid to remove the miſ-interpretation of that Act, I will add to theſe Acts of Parliament which I have been reciting to you from §. 26. thoſe words in the Kings laſt Speech which he made in Parliament not long before his death; reprehending his Subjects for their great diſſenſion in Opinion and Doctrine. 'If you know 'ſurely (ſaith he) that a Biſhop or Preacher erreth or 'teacheth perverſe Doctrine, come and declare it to 'ſome of our Council or to us, to whom is committed 'by God the high authority, to reform and order ſuch 'cauſes and behaviours, and be not Judges your ſelves 'of your fantaſtical Opinions and vain Expoſitions. [*Here making his Council or himſelf Judge of the Biſhops Doctrines.*] And thoſe words in King *Henry* the Eighth's Proclamation, 1543. made for the eating of White-Meats, Milk, Butter, Eggs, Cheeſe, in *Lent*: where he ſaith; 'That 'the meer poſitive Laws of the Church may be upon 'conſiderations and grounds altered and diſpenſed with 'by the publick authority of Kings and Princes, when-'ſoever they ſhall perceive the ſame to tend to the hurt 'and damage of their people. [*Unleſs perhaps he reſtrain* damage *here to Civil Affairs.*] Contrary to the Eighth *Theſis*. And thoſe words in *Cromwell*'s Speech, when he preſided, as the Kings Vicar-General, over the Clergy aſſembled to ſtate ſomething in Controverſies of Faith then agitated betwixt the Roman Church and Lutherans; who told them; 'That His Majeſty would not ſuffer 'the Scripture to be wreſted and defaced by any Gloſſes, 'any Papiſtical Laws, or by any Authority of Doctors 'or Councils. By which if this be meant; that we are not obliged to embrace the Doctrine of Scriptures according to thoſe Determinations and Expoſitions which lawful Councils have made of them, it is contrary to the Fourth and Seventh *Theſis*, and overthrows the Government of the Church. See the ſame thing ſaid on the Kings behalf by the Biſhop of *Hereford* againſt other Biſhops urging the Doctors of the Church.

§. 36.

Lord Herb. Hiſt. p. 536.

In Fox *pag.* 1104.

Fox p. 1078.

Fox p. 1079.

I will conclude with what Biſhop *Carleton* in *Juriſdict. Regal and Epiſcopal Epiſt. dedicat.* And *Calvin* upon thoſe

§. 37.

thoſe Words in *Amos* 7. 13. [*Prophecy not any more at Bethel for it is the Kings Court*;] ſay of theſe times. Biſhop *Carleton* relateth out of *Calvin*, 'That *Stephen* 'Gardiner, Biſhop of *Winchester*, being at *Ratisbon* in *Ger-* 'many upon the Kings Affairs, and there taking occaſion 'to declare the meaning of that Title, *Supreme Head of* 'the Church given to *Henry* the Eighth, taught; that the 'King had ſuch a power, that he might appoint and pre- 'ſcribe new Ordinances of the Church, even matters 'concerning Faith and Doctrine, and aboliſh old. As 'Namely, 'That the King might forbid the Marriage 'of Prieſts; and might take away the uſe of the Cup 'in the Sacrament of the Lords Supper, and in ſuch 'things might appoint what he liſt. And there likewiſe 'Biſhop *Carleton* confeſſeth; That when *Henry* the 'Eighth took this Title of *Supreme Head*, &c, tho the 'ſounder and more judicious part of the Church then 'underſtood the words of that Title ſo, as that no 'offence might juſtly riſe by it [I ſuppoſe he means, in that ſenſe, as himſelf takes it; which is: For the King to have a Juriſdiction Coactive in External Courts, binding and compelling men by force of Law and other External Mulcts and Puniſhments, to what the Church in Spiritual matters defines. For this Biſhop ſaith; that the Church is the only Judge of ſuch matters (See before p. 4.) and in his whole Book, written purpoſely on this Subject, I do not find that he gives the King any Coactive Authority in Spiritual matters againſt any definition of the Church:] 'Yet (ſaith he) they that 'were ſuddenly brought, from their old Opinions of 'Popery not to the love of the Truth, but to the ob- 'ſervance of the Kings Religion, received a groſs and 'impure ſenſe of theſe words. But this groſs ſenſe is ſuch, 'as Biſhop *Gardiner* expreſſed, and as I think ſome of theſe Inſtances in the Parliaments Acts, *&c* made above do confirm; tho ſome Writers in our latter times ſeem to be ſomewhat unwilling to acknowledge it. And it is plain, that *Calvin* (in *Amos* 7.) underſtood thoſe times (in which he writ) to have given Supremacy to Kings,

Kings, and particularly to *Henry* the Eighth in this *groſs ſenſe.* Whilſt he complains thus. *---Et hodiè quam multi ſunt in Papatu, qui Regibus accumulant quicquid poſſunt juris & poteſtatis; ita, ut ne qua fiat diſceptatio de religione, ſed poteſtas hæc ſit penes Regem unum, ut Statuat pro ſuo arbitrio quicquid voluerit, & ſine controverſiâ hoc firmum maneat. Qui initio tantoperè extulerunt* Henricum *Regem* Angliæ *certè fuerunt inconſiderati homines. Dederunt illi ſummam rerum omnium poteſtatem; & hoc me ſemper graviter vulneravit: erant enim blaſphemi, cùm vocarent ipſum ſummum caput Eccleſiæ ſub Chriſto. Hoc certè fuit nimium: Sed tamen ſepultum hoc maneat, quia peccarunt inconſiderato zelo. Sed impoſtor ille* [Stephen Gardiner] *qui poſtea fuit Cancellarius hujus Proſerpinæ, quæ hodiè illic ſuperat omnes diabolos* [he means Queen *Mary*] *Ille, cum eſſet* Ratiſponæ, *non pugnabat rationibus (loquor de hoc poſtremo Cancellario qui Epiſcopus fuit* Vintonienſis) *ſed quemadmodum jam cæpi dicere, non multum curabat Scripturæ teſtimonia, ſed dicebat fuiſſe in arbitrio Regum, Statuta abrogare, & ritus novos inſtituere. Si de jejunio agitur, illud regem poſſe populo indicere, & jubere ut hoc vel illo die veſcatur populus carnibus: licere etiam prohibere Sacerdotes a conjugio: licere etiam regi interdicere populo uſum calicis in cænâ: licere regi ſtatuere hoc vel illud in regno ſuo: Quare? Poteſtas enim ſumma eſt penes Regem.* He goes on complaining. *Certum quidem eſt Reges, ſi fungantur ſuo officio, eſſe & Patronos Religionis, & nutricios Eccleſiæ. Hoc ergo ſummoperè requiritur a Regibus, ut gladio, quo præditi ſunt, utantur ad cultum Dei aſſerendum* [but of whom ſhall they learn the right *cultus Dei?* Of the Body of Church-men? Then what will become of *Calviniſme?*] *Sed interea ſunt homines inconſiderati* [ſuch as Arch-Biſhop *Cranmer* and others] *qui faciunt illos nimis Spirituales. Et hoc vitium paſſim regnat in Germaniâ. In his etiam regionibus nimium graſſatur* [amongſt the *Genevois* and the *Swiſſes*] *& nunc ſentimus quales fructus naſcantur ex illâ radice; quod ſic Principes & quicunque potiuntur imperio putant ſe ita Spirituales eſſe, ut nullum ſit amplius Eccleſiaſticum regimen. Non putant ſe poſſe regnare,*

niſi aboleant omnem Eccleſiæ authoritatem, & ſint ſummi Judices tam in doctrinâ, quam in toto Spirituali regimine. Tenendum eſt igitur temperamentum, quia hic morbus ſemper in Principibus regnavit, ut vellent inflectere religionem pro ſuo arbitrio & libidine, & interea etiam pro ſuis commodis. Hodiè dolendæ ſunt nobis noſtræ vices & deplorandæ. Thus he goes on complaining of the reforming Princes in thoſe times making themſelves the *ſummi Judices* both in Eccleſiaſtical Doctrines and Government; Himſelf meanwhile, thus, being deſtitute of any Judge at all in theſe matters (the judgment of Seculars being (by his ſentence) invalid) of the Church oppoſing him. To this of *Calvin* may be added what Dr. *Fern* ſaith, in his *Conſid. concerning Reform* 2.c. 6. §. 'That the Biſhops 'and Clergy under *Henry* the Eighth may ſeem, at leaſt 'in words and expreſſion, to have over-done their 'work; not in that part which they denied to the Pope, 'but in that part which they attributed to the King. [I add, which part wrongly attributed to the King, by conſequence they faultily denied, if not to the Pope, yet to ſome other, whoſe right it was: And then I ask what perſon or perſons this ſhould be?]

CHAP.

CHAP. IV.

The Supremacy claimed by King Edward *the Sixth.*

NExt to come to the Times of *Edward* the Sixth. Here we find the Power and Priviledges of the Kings Supremacy nothing diminiſhed: but all thoſe by Act of Parliament confirmed to *Edward* the Sixth, which were formerly conceded to *Henry* the Eighth. §. 38. 2. *In the times of* Edward *the Sixth.*

1. *Firſt*, Whereas there had been in former Ages ſeveral Parliament Statutes made in Confirmation of the Determinations of the Church, and concerning the Tryal of Hereticks by the Biſhops their Ordinaries [As, that Act, 2. *Hen.* 4. 15. 'That none ſhall preach, hold, 'teach, or inſtruct contrary to the Catholick Faith, or 'Determination of Holy Church; and if any perſon ſhall 'offend in this kind, that the Dioceſan ſhall judicially 'proceed againſt him; and that Act, 2. *Hen.* 5. 7. 'That, for ſo much as the Cognizance of Hereſy belong-'eth to the Judges of Holy Church, and not to the Secu-'lar Judges, ſuch perſons indited ſhall be delivered to 'the Ordinary of the Places to be acquitted or convicted 'by the Laws of Holy Church;] we find theſe Statutes repealed by King and Parliament 1. *Edw.* 6. 12. c. And when-as they were again revived by Queen *Mary* 1, and 2. *Mariæ* 6. c. with this Preface: *for the eſchewing and avoiding of Hereſies, which of late have much increaſed within this Realm, for that the Ordinaries have wanted authority to proceed againſt thoſe that were infected therewith*; we find them again repealed, as ſoon as Queen *Elizabeth* came to the Crown. 1. *Eliz.* 1. c. the Tryal of Hereſies and Hereticks by the Clergy according to the Determinations and Laws of Holy Church being admitted or excluded here, according as the Prince was Catholick or Reformed. §. 39.

§. 40. Further; we find it affirmed in the Act 1. *Edw.* 6. 2. c. 'That all authority of *Juriſdiction Spiritual and Temporal* 'is derived and deduced from the Kings Majeſty, as 'Supreme Head of the Church and Realm of *England.* Conſequently (in 1. *Edw.* 6. 2. c.) we find ordered, 'That no Election be made *of any Biſhop* by the Dean and 'Chapter; but that the King by his Letters-Patents 'ſhall confer the ſame to any perſon whom he ſhall think 'meet, and a Collation ſo made ſtand to the ſame 'effect, as tho a *Conge-d'-eſlire* had been given *&c.* That 'all *Proceſſes Eccleſiaſtical* ſhall be made in the name and 'with the ſtile of the King, as in Writs at Common-Law; 'and the *Teſte* thereof ſhall be in the name of the Biſhop. 'Theſe likewiſe to be ſealed with no other Seal but the 'Kings, or ſuch as ſhould be authorized by him. Concerning which Act, thus Dr. *Heylin* candidly (*Hiſt. of Reform.* p. 51.) 'By the laſt Branch thereof it is plain, that 'the intent of the Contrivers was by degrees to weaken 'the Authority of the Epiſcopal Order by forcing them 'from their hold of Divine Inſtitution, and making 'them no other than the Kings Miniſters only, his Ec- 'cleſiaſtical Sheriffs to execute his Mandates. And of 'this Act ſuch uſe was made (tho poſſibly beyond the 'true intention of it) that the Biſhops of thoſe times 'were not in a capacity of conferring Orders, but as 'they were thereunto impowered by eſpecial Licence. [*Where he quoteth out of* Sanders *what is ſet down below* §. 145.] 'Which (ſaith he) being looked on 'by Queen *Mary* not only as a dangerous diminution 'of the Epiſcopal Power, but as an odious innovation 'in the Church of Chriſt: She cauſed this Act to be re- 'pealed, leaving the Biſhops to depend on their former '[i. e, *Divine*] Inſtitution; and to act in all things, which 'belonged to their Juriſdiction, in their own Names and 'under their own Seals, as in former times. In which 'Eſtate they have continued, without any legal inter- 'ruption, from that time to this. Thus He. Now to go on.

Conſequently we find (in 2. *Edw.* 6. 1. c.) the King 'and Parliament authorizing Arch-Biſhops, Biſhops, *&c.* by

By vertue of their Act, *to* take Informations concern-
'ing the *not uſing* of the Form of *Common-Prayer* &c
'therein preſcribed; and to puniſh the ſame *by Excom-*
'*munication* &c. And in Stat. 5, 6. *Edw.* 6. 1. c. it
is Enacted likewiſe concerning the ſame Common-Prayer
Book Eſtabliſhed by Parliament. 'That all Arch-Biſhops,
'Biſhops *&c* ſhall have full power and authority *by this*
'*Act* to correct and puniſh *by Cenſures of the Church* all
'perſons, who ſhall offend againſt this Act and Statute.
Which Clauſe, *by vertue of this Act*, and the like, im-
plies, that the Biſhops might not excommunicate and
uſe the Church Cenſures for that matter without the
King and Parliament's Licence; or ought to excommu-
nicate in all matters, wherein the King and Parliament
command it. Whereby we may underſtand more clearly
the meaning of that Act (forementioned p. 44. §. 26.)
26. *Hen.* 8. 1. c. and that 1. *Eliz.* 1. c. That the Spiri-
tual Juriſdiction, there aſcribed to the King or Queen,
involves the *Juriſdiction of Excommunication*, as well
as others; not for the King to exerciſe this himſelf, but
to appoint when and in what matters the Clergy within
his Realm ſhall execute, or not execute, it: ſo that they
derive the power of exerciſing of this Eccleſiaſtical Cen-
ſure in his Dominions alſo from the King; contrary to
the Second and Third *Theſis*. And indeed if the Clergy
may not make nor enjoyn any new or old Spiritual Laws,
may not correct what they judge Hereſies, Errors, Vices,
&c, without the Kings conſent had thereto (See the
Acts ſet down before §. 31, 32, 33, *&c.*) it is but reaſon-
able, that they ſhould not excommunicate his Subjects
without his conſent, for not obeying ſuch Laws, or for
being thought guilty of ſuch Crimes. And this is the
reaſon, I ſuppoſe, of Dr. *Heylins* Obſervation (*Hiſt.*
of Reform. p. 94.) 'That in thoſe times the Wings of
'Epiſcopal Authority were ſo clipped, that it was ſcarce
'able to fly abroad; the Sentence of Excommunication,
'wherewith the Biſhops formerly kept in awe both Prieſt
'and People, not having been in uſe and practice from
'the firſt of King *Edward*: and, of that Suit of *Latimer*

to

to the King in his Sermon before him quoted *ibid*: 'That 'the Diſcipline of Chriſt in the Excommunication of 'open Sinners might be reſtored and brought into the 'Church of *England*.

§. 41. Conſequently in the Act of Parliament 3, and 4. *Edw.* 6. 11. c. We find the Kings *Power in Spirituals delegated to Thirty Two Perſons*, half Seculars, to be nominated by him (as was done in *Henry* the Eighth's days, in 35. *Hen.* 8. 16. c. 27. *Hen.* 8. 15. c. 25. 19. c.) who are authorized to reform the former Laws of the Church: and theſe reformed Laws only, eſtabliſhed by a major part of them, and publiſhed by the Kings Proclamation, thence forward to ſtand in force. [The Statute runs thus. 'Albeit the Kings Majeſty ought moſt juſtly to 'have the Government of his Subjects, and the Deter-'minations of their Cauſes as well Eccleſiaſtical, as Tem-'poral; [*therefore you ſee the Statutes, concerning the Biſhops determining Eccleſiaſtical Cauſes, repealed in Statute* 1. Edw. 6. 12. c. *above-mentioned*] yet the ſame, as 'concerning Eccleſiaſtical Cauſes, having not of long 'time been put in ure, nor exerciſed by reaſon of the 'uſurped Authority of the Biſhop of *Rome*, is not per-'fectly underſtood nor known of his Subjects; and there-'fore may it pleaſe his Highneſs that it may be Enacted '*&c*, that the Kings Majeſty ſhall, from henceforth 'during Three years, have full power to nominate and 'aſſign by the advice of his Council Sixteen perſons of 'the Clergy (whereof Four to be Biſhops) and Sixteen 'of the Temporalty (whereof Four to be learned in the 'Common Laws of this Realm) to peruſe and examine 'the Eccleſiaſtical Laws of long time here uſed, and to 'gather, order and compile ſuch Laws Eccleſiaſtical, 'as ſhall be thought to his Majeſty, his ſaid Council, 'and them, or the more part of them, convenient to 'be uſed, practiced or ſet forth within this his Realm, 'in all Spiritual and Eccleſiaſtical Courts and Conven-'tions. And that ſuch Laws compiled by the ſaid Thirty 'Two Perſons or the more number of them, and ſet 'forth by the Kings Majeſties Proclamations ſhall, by vertue

'vertue of this preſent Act, be only taken and put in 'ure for the Kings Eccleſiaſtical Laws of this Realm, and 'no other: Any Law, Statute, or Preſcription to the 'contrary hereof notwithſtanding.]

Again, we find, in the ſame Act, Six Prelates, and Six others, ſuch as the King ſhould nominate, delegated by the ſame authority to make a new Form of Conſecration of Biſhops and Prieſts; and this, deviſed by them, and ſet forth under the Great Seal, to be uſed, and none other. The words are theſe. 'Foraſmuch as, that concord 'and unity may be had within the Kings Majeſties dominions [*ſome it ſeems then deviſing to themſelves new Forms of Conſecration and Ordination out of diſlike of the Superſtitions of the old*] it is requiſite to have one uniform manner 'for making and conſecrating of Biſhops and Prieſts; 'be it therefore Enacted, that ſuch Form, as by Six Pre-'lates and Six other Men of this Realm Learned in Gods 'Law, by the King to be appointed, or by the moſt 'Number of them ſhall be deviſed for that purpoſe, and 'ſet forth under the Great Seal, ſhall by vertue of this 'preſent Act be lawfully uſed, and none other; any 'Law, Statute, or Preſcription, to the contrary hereof 'notwithſtanding. Here the King and Parliament aſſume power, to abrogate the former common Rituals of the Church, and, by their Delegates, to conſtitute, and by their ſole Act, to authorize, new, without any conſent and ratification given thereto by any Eccleſiaſtical Synod. And in this new Book of *Ordination* was inſerted this *Oath of the Kings Supremacy* and renunciation of all Juriſdiction of the Biſhop of *Rome* to be taken by every one entring into *Holy Orders*. 'I from henceforth ſhall 'utterly renounce and forſake the Biſhop of *Rome*, and 'his Authority, Power, and Juriſdiction. And I ſhall 'never conſent nor agree that the Biſhop ſhall practice 'exerciſe or have any manner of Authority, Juriſdiction 'or Power within this Realm: but ſhall reſiſt the ſame 'at all times to the uttermoſt of my power. And I from 'henceforth will accept, repute, and take the Kings Ma-'jeſty to be the only Supreme Head on Earth of the Church

s. 42.

'Church of *England*. And to my Wit and uttermoſt 'of my Power I will obſerve and defend the whole Effects 'and Contents of all and ſingular Acts and Statutes made 'and to be made within this Realm in derogation, ex-'tirpation and extinguiſhing of the Biſhop of *Rome* and 'his Authority; and all other Acts and Statutes made 'or to be made in Confirmation and Corroboration of 'the Kings Power of the Supreme Head in Earth of the 'Church of *England*, *&c.* Here is the Clergy tied to ſwear, as to all Acts of the Civil Power already paſt, ſo indefinitely and beforehand to all alſo that are to come, which may derogate any thing from the Popes power, or add to the Kings, in Spiritual matters; as if no bounds or limits at all were due thereto.

§. 43. Again; in the Sixth Year of King *Edward*, the whole Synod of the Clergy, if we may credit the relation of *See* Fox *p.* 1282. Mr. *Philpot*, in the Convocation 1. *Mariæ* did grant Authority to certain perſons to be appointed [*not by them, but*] by the Kings Majeſty to make Eccleſiaſtical Laws: [*where it ſeems to me ſomewhat ſtrange, that the Synod ſhould now* de novo *give to the King what was before aſſumed as his Right.*] And accordingly, a Catechiſme, bearing the name of the Synod, was ſet forth by thoſe perſons nominated by the King without the Synods reviſing or knowing what was in it; tho a *Catechiſme* (ſaid Dr. *Weſton* the Prolocutor 1. *Mariæ*) *full of Hereſies.* This Book being then produced in Convocation, and denied by the Synod to be any Act of theirs, *Phil-'pot* urged it was; becauſe the Synodal Authority (ſaith 'he) was committed to certain perſons to be appointed 'by the Kings Majeſty, to make ſuch Spiritual Laws 'as they thought convenient and neceſſary. Which Argumentation of *Philpots* ſeems to be approved by Dr. *Fern* in *Conſid. upon the Reform.* 2. chap. 9. ſect. Here then the Synod grants Authority in Spiritual matters, that they know not who ſhall in their name eſtabliſh that which they pleaſe, without the Synods knowing either what Laws ſhall be made, or who ſhall make them: which is againſt the Firſt and Second *Theſis*; and is far from

from adding any juſt authority to the Eccleſiaſtical Conſtitutions of thoſe times; or to any Acts, which are thus only called *Synodal*, becauſe the Synod hath in general given away their Power to thoſe who make them afterward, as themſelves think fit. Whereas to make an Act lawfully Synodical, the Conſent of the Clergy muſt be had; not to nominate, in a Truſt which Chriſt hath only committed to themſelves, in general another Law-giver; *viz.* the King or his Commiſſioners; (for (thus) King *Edward* will chooſe *Cranmer* and *Ridley*; and Queen *Mary* will chooſe *Gardiner* and *Bonner* to preſcribe Laws for the Church:) but to know, approve, and ratify in particular every ſuch Law, before it can be valid.

Beſides theſe Acts of Parliament and Synod, the manner of Supremacy then aſcribed to the Prince yet further appears in the Impriſonment of Biſhop *Bonner* in the Firſt year of King *Edward*, for making ſuch an hypothetical Submiſſion, as this, to the Kings Injunctions and Homilies then by certain Commiſſioners ſent unto him: 'I do receive theſe Injunctions and Homilies, with this 'Proteſtation, that I will obſerve them, *if they be not* 'contrary and repugnant *to Gods Law*, and *the Statute* and 'Ordinance *of the Church*; the fault imputed here to him, I ſuppoſe, being, that he refuſed to obey any Injunctions of the King, when repugnant to the Statute and Ordinance of the Church; for which *Fox* calls this Proteſtation *Popiſh*. §. 44. *See* Fox p. 1192.

But the manner of this Supremacy appears yet more ſpecially in the ſeveral *Articles* propoſed to be ſubſcribed by Biſhop *Gardiner*, upon his refuſing to execute or ſubmit to divers particular Injunctions of King *Edward* in Spiritual matters impoſed upon the Clergy; the Subſcription required of him was,--To the Book of *Homilies*, affirmed to contain only godly and wholſome Doctrine, and ſuch as ought by all to be embraced; ---To new Forms of Common-Prayer and Adminiſtration of the Sacraments, ---and to the denyal of *Real Preſence* or of Tranſubſtantiation; if any thing in that Form may may be ſaid to oppoſe either of theſe: ---To the new § 45. n. 1.

Form of Conſecration of Biſhops and Prieſts;--To the diſ-annulling and abolition of the former Church Liturgy and *Canon of the Maſs*, and of the Litanies to Saints, and Rituals of the Church; --- To the abolition of Sacred Images, and Sacred Relicks; --- To the permiſſion of Marriage to the Clergy; --- To the acknowledging, that the Statute of the *Six Articles* was by Authority of Parliament juſtly repealed and diſ-annulled;--- To the acknowledging, that the appointment of Holy-days and Faſting-days (as *Lent* and *Ember-days*) and the diſpenſing therewith, is in the Kings Majeſty's Authority and Power, as Supreme Head of the Church of *England*: --- To the acknowledging, that Monaſtick Vows were Superſtitious; and the Religious, upon the diſſolution of their Monaſteries, lawfully freed from them: as likewiſe, that the ſuppreſſing and diſſolution of Monaſteries and Convents by the King was done juſtly, and out of good reaſon and ground. For all which ſee the Copy of the Second, and of the Laſt, Articles ſent to Biſhop *Gardiner*, in *Fox* p. 1234, and 1235. In which Articles the Kings *Supremacy* is thus expreſſed, in the *Second* of the Firſt Articles ſent to him: 'That 'his Majeſty as Supreme Head of the Church of *England* 'hath full Power and Authority to make and ſet forth 'Laws, Injunctions, and Ordinances concerning Re-'ligion, and Orders in the ſaid Church for repreſſing 'of all Errors and Hereſies, and other enormities and 'abuſes; ſo that the ſame alteration be not contrary 'or repugnant to the Scripture and Law of God (as is 'ſaid in the Sixth of the Second Articles ſent to this Biſhop.) [*Now how far this repreſſing and reforming of Errors*, &c. *claimed by the King, did extend, we may ſee in thoſe points but now named.*] In the *Fifth*:-'That all 'Subjects who diſobey any his ſaid Majeſties Laws, In-'junctions, Ordinances [*in ſuch matters*] already ſet 'forth and publiſhed, or hereafter to be ſet forth and 'publiſhed, ought worthily to be puniſhed according 'to his Eccleſiaſtical Law uſed within this his Realm. Again; in the 7. 11, 12. 14. 16. of the Third Articles

ſent

ſent to the ſame Biſhop: 'That the former Liturgies 'of the Church, Maſs-Books *&c*, that the Canons for-'bidding Prieſts Marriage *&c*, are juſtly taken away 'and aboliſh'd: and the new Forms of Common-Prayer, 'and of Conſecration of Biſhops and Prieſts are juſtly 'eſtabliſhed by Authority of Parliament, and by the 'Statutes and Laws of this Realm; and therefore ought 'to be received and approved of all the faithful Mini-'ſters of Gods word.

Where note; That tho, in ſome of theſe Articles, the Authority of Parliament is mentioned; yet in none of theſe is any thing ſaid of the conſent of the Clergy as neceſſary to make ſuch Regal or Parliamentary Injunctions in Eccleſiaſtical matters valid. From which may be collected; That when the Synodal conſent of the Clergy is any where elſe mentioned, as ſometimes it is, (See the Letter of the King and Council to Biſhop *Bonner*, *Fox* p. 1186, and the Kings Meſſage to the Rebels of *Cornwal*, *Fox* p. 1189:) it is not to add any Authority to thoſe Injunctions thereby; (which Injunctions were impoſed on the Clergy before any Synodal conſent of the Clergy was either given or asked:) but to propoſe the judgment and example of the Clergy conſenting, as a motive to render others, that ſtand out, conformable; as whoſe judgment they ought to reverence, and whoſe example they ought to follow; not, as whoſe Decree and Conſtitution they ought to obey. And if you wonder, why the King and Parliament of thoſe days never pleaded this laſt (as you ſhall never find it pleaded by them); the reaſon (I conjecture) was (beſides that they were conſcious of ſome changes made by them of theſe Eccleſiaſtical Judges, diſplacing thoſe who would not conform to their Inclinations; which rendred them not ſo authentical) becauſe they ſaw, that the Laws of this National Clergy could ſtand in no force, by vertue of their Office or any Commiſſion from Chriſt; but that ſo would alſo the Laws of the Church and her Synods, which were Superior to the Engliſh Clergy, and which were contrary to the Laws

§. 45. n. 1.

of this National Synod; and ſo would void and make them of none effect. And if the King by vertue of his Supremacy urged his, and his Subjects, freedome from the former Laws and Conſtitutions of the Church *Univerſal*; ſo muſt he, from the preſent Laws of his own Church *National*: He, and his Subjects, being tied in no more Duty to the one, than to the other; nor in ſo much.

§. 46. If you would know how Biſhop *Gardiner* behaved himſelf in this Tryal; it was with great perplexity and diſtraction: as neither knowing now, how, ſafely, to recal and recant that Supremacy of the King in *Spirituals*, which he had formerly acknowledged and ſworn to; nor how, in that Duty which he owed to the Church, to obey thoſe particular Injunctions, which the King impoſed upon him by vertue of this Supremacy acknowledged by him; and ſo he incurred, for this latter, deprivation and impriſonment. And perhaps it may be thought a juſt judgment from God, that he ſhould be thus enſnared and undone by that ſenſe of Supremacy; of which he had been, in *Henry* the Eighth's days, both at home and abroad, as you have heard from *Calvin*, ſo zealous an Abettor.

See §. 37.

§. 47. I will conclude theſe Evidences under *Edward* the Sixth, with what is ſaid in *Antiquit. Brittannic.* (p. 339. which quotes for it the *Archives*) touching the reſentment of their loſt Synodal Authority which ſome of the Clergy ſhewed in a Synod called by Arch-Biſhop *Cranmer*, in the Firſt Year of King *Edward*'s Reign, for the furthering of a Reformation, tho he could effect nothing therein. In which Synod the Clergy (now too late perceiving, that, not only the Pope, but themſelves, had loſt their former Eccleſiaſtical Power; and that the King and Parliament ordered Spiritual Affairs as they pleaſed, without their conſents) requeſted, that, at leaſt, the reſt of their Convocation might be joyned, with the Houſe of Commons; as the Biſhops were, with the Lords: that ſo they might have a Vote alſo in paſſing Church matters; but this requeſt would not be granted them

them. The Authors words are theſe, --- *Animadverterunt Prælati omnem vim authoritatemque Synodi non modò diminutam, ſed* penitus fractam everſamque eſſe; *poſtquam* Clerus *in verbo Sacerdotis* Henrico *Regi promiſiſſet, ſine authoritate Regiâ, in Synodo ſe nihil decreturos*; [or indeed that the King might decree what he pleaſed without the Authority of the Synod: for ſuch a Supremacy was either granted to, or aſſumed by, the King.] *Quâ Eccleſiaſticarum rerum poteſtate abdicatâ,* Populus *in Parliamento capit de rebus divinis, inconſulto* Clero, *ſancire; tum abſentis cleri privilegia & immunitates ſenſim detrahere; juraque duriora, quibus Clerus invitus teneretur, conſtituere. Hæc diſcrimina pati Clericis iniquum atque grave viſum eſt. Proinde* petierunt, *ut in Concilio inferiori Prælati* Clerique *procuratores cum populo permixti de* Republicâ & Eccleſiâ *unà conſulant* &c. Thus that Author. And you may ſee alſo the *Petition* it ſelf lately Printed out of a Manuſcript of Arch-Biſhop *Cranmers* by Mr. *Stillingfleet Irenicum* 2. Part 8. c. Where, ſeeking too late to recover their former Steerage in Eccleſiaſtical Affairs now tranſacted in the Court of Parliament, the Lower Houſe of Convocation prefers theſe Requeſts, 'That, Whereas in a Stat. 25. *Hen.* 8. the 'Clergy had promiſed in *Verbo Sacerdotii* never from 'thenceforth to Enact *&c* any new *Canons, Conſtitutions* '*&c* unleſs the Kings Aſſent and Licence may to them 'be had *&c*: therefore they deſire that the Kings Ma'jeſties Licence may be for them obtained, authorizing 'them to attempt and commune of ſuch matters, and 'therein freely to give their conſent; which otherwiſe 'they may not do, upon pain and peril premiſed. That 'either the Clergy of the Lower Houſe of the *Convo*'*cation* may be adjoyned and aſſociate with the Lower 'Houſe of *Parliament*; or elſe, that all ſuch Statutes, 'as ſhall be made concerning matters of Religion, may 'not paſs, without the ſight and aſſent of the ſaid 'Clergy; [*or* (as it runs in the Second Petition) *the ſaid Clergy not being made privy thereunto, and their Anſwers and Reaſons not heard*] That [*ſince the former*

were

'*were annulled*] Eccleſiaſtical Laws may be eſtabliſhed 'in the Realm by Thirty Two perſons, or ſo many 'as ſhall pleaſe the King to appoint, *&c.* That 'all Judges Eccleſiaſtical proceeding after thoſe Laws 'may be without danger and peril. That, whereas they 'were informed, that certain Prelates and other Learned 'Men were appointed to alter the Service in the Church '*&c*; and did make certain Books *&c*: the ſaid Books 'may be ſeen and peruſed by them, for a better expe-'dition of Divine Service *&c.* That ſuch matters as 'concern Religion, which be diſputable, may be 'reaſoned and diſputed amongſt them in this Houſe; 'whereby the Verity of ſuch matters ſhall the better 'appear *&c.* Thus laboured then the poor Clergy to obtain a joint ſhare at leaſt with the Parliament and civil State, in tranſacting the Affairs of the Church. And Dr. *Heylin* (in *Reform. Juſtified* §. 4. p. 21.) grants thus much, 'That the Cenſures of the Church were 'grown weak, if not invalid, and conſequently, by 'degrees, became neglected; ever after that King *Henry* 'the Eighth took the *Headſhip* on him, and exerciſed 'the ſame by a Lay *Vicar-General:* and p. 20, That 'the Power and Reputation of the Clergy was under 'foot; and therefore the Authority of Parliament of 'more uſe, than afterward in times well ballanced and 'eſtabliſhed [*meaning thoſe following times, wherein the Clergy were now changed and faſhioned to the inclinations of the Prince.*] And, as for theſe days of King *Edward*; what Authority concerning Spiritual matters not only the people, but the new Divines of *Edward*, acknowledged and enſtated in the King and Parliament, may appear from that Letter of Biſhop *Hooper*, when in Priſon, ſent to the Synod called in the beginning of Queen *Mary*: *Epiſcopis, Decanis &c*; wherein he cites them before the High Court of Parliament, as the competent Judge in thoſe Controverſies, *i.e*, for ſo far as any man can be Judge. In this Letter, after having urged *Deut.* 17. 8. becauſe of the mention made there, of a Judge beſides the Prieſt; *Vos omnes* (ſaith he) *obteſtor, ut cauſam hanc vel*

Fox p. 1933.

vel aliam quamcunque, ob religionem ortam inter nos & vos deferre dignemini ad ſupremam Curiam Parliamenti; *ut ibi utraque pars coram ſacro & excelſo ſenatu ſeſe religioſè & animo ſubmiſſo, judicio & authoritati Verbi* Dei *ſubjiciat. Veſtra ipſorum cauſa certè poſtulat, ut palam eæ lites inter nos componantur; idque coram competenti judice. Quid hoc eſt igitur? Quo jure contenditis? Vultis & noſtri, & cauſæ noſtræ teſtes, accuſatores & judices eſſe? Nos tantùm legem & evangelium* Dei *in cauſâ religionis judicem competentem agnoſcimus. Illius judicio ſtet vel cadat noſtra cauſa. Tantum iterum atque iterum petimus, ut coram competenti judice detur nobis amicum Chriſtianumque auditorium. Non vos fugit, quomodo publicè, palam, & in facie ac in preſentiâ omnium ſtatuum hujus regni, in ſummâ curiâ* Parliamenti, *veritas verbi* Dei *per fidos, doctos, & pios miniſtros de veſtrâ impiâ Miſſâ glorioſè victoriam reportavit. Quæ, quocunque titulo, tempore, univerſalitate, ſplenduit, ubi per Sanctiſſimum Regem* Edvardum 6. *ad vivum lapidem Lydium verbi* Dei *examinari, per proceres, heroas, ac doctos hujus regni, erat mandatum, ſtatim evanuit* &c. Here that Biſhop profeſſeth, when any do oppoſe a Synod in a Cauſe of Religion, not the Synod, but the Parliament, the competent Judge therein; and urgeth, if I rightly underſtand him, the juſt Authority thereof in King *Edward*'s time for putting down the *Maſs*. Will he then ſtand to the Parliaments judgment; which as it was then affected, would have caſt him? It ſeemeth, Not; by that he ſaith [*Tantum legem Dei in cauſâ religionis judicem competentem agnoſcimus. Illius judicio ſtet vel cadat cauſa noſtra.*] By whoſe mouth then ſhall the Scripture decide it; that Sentence may be executed accordingly on him, a Priſoner for this Controverſy? By the *Clergy's?* No. By the *Parliament's?* No; for he makes ſure to waive that in his Letter? By the *Scripture* then its ſelf? But this is urged, by both ſides, to ſpeak for them; and ſaith not one word more after the Cauſe heard by the Parliament, than it did before. So that, in nominating no other final Judge, the Biſhops Requeſt here in ſumme is; that his Cauſe may never be tryed by any Judge.

CHAP.

CHAP. V.

King Edward's *Supremacy diſclaimed by Qu.* Mary.

§. 48. *The former Supremacy Diſclaimed by Q.* Mary *and by the Biſhops in her days; and the Popes Supremacy reacknowledged.*

After King *Edward*'s Death, in the beginning of Queen *Mary*'s Reign (a Princeſs otherwiſe principled,) all that had been done in the Two former Kings Reigns, by Prince, by State, or by Clergy; in ſetting up a new Lay-Supremacy in Spirituals; in reſtraining the former Power and Supremacy of the Church; in innovating the Forms, of Divine Service and Adminiſtration of the Sacraments, of Ordination, of Church Rites and Diſcipline, and Juriſdiction; in diſannulling ſeveral former Eccleſiaſtical Canons and Conſtitutions, and compoſing new ones; All was now, by an equal Authority of Prince, Clergy, and State, reverſed, repealed, ejected; and Religion, (only rendred much poorer) as for Temporals, put into the ſame courſe, which it had in the twentieth Year of *Henry* the Eighth; before a new Wife, or a new Title, was by him thought on. So that any new Reformation, to come afterward, muſt begin to build clearly upon a new Foundation; not able to make any uſe of the Authority of the former Structure, being now, by the like Authority, defaced and thrown down.

§. 49. *And the final judgment of Eccleſiaſtical matters reſtored to the Church.*

This Reſtitution of things, made in Queen *Mary*'s days, will chiefly appear to you; in the Statute 1. *Mar.* 2. chap. where, the ancient Form of Divine Service *&c*, uſed in *Henry* the Eighth's days, is reſtored; as being the *Service* (ſaith the Act) *which we and our Fore-fathers found in this Church of* England, *left unto us by the Authority of the Catholick Church*: and ſeveral Acts of *Henry* the Eighth, and *Edward* the Sixth, that abrogated ſome former Eccleſiaſtical Laws *&c*, or introduced new Forms, of Divine Service, of Election and Ordination of Biſhops and Prieſts, are repealed. And in 1, and 2. *Mar.* 6. chap.

chap. where the ancient way of judging Hereſies and Hereticks firſt at the Tribunals of the Church is ſet on foot again; and the Statutes to this purpoſe, which were repealed upon the coming in of a new Supremacy, are revived.

And in 1, and 2. *Mar.* 8. c, where the Pope's Supremacy is re-acknowledged; when alſo (as *Fox* obſerves p. 1296.) the Queen's Stile concerning Supremacy was changed; and in it *Eccleſiæ Anglicanæ Supremum Caput* omitted: as alſo *Bonner* Biſhop of *London*, being Chief of the Province of *Canterbury* in the Reſtraint of the Arch-Biſhop, did omit, in his Writs to the Clergy, *Authoritate Illuſtriſſimæ* &c *legitime ſuffultus.* In which Statute alſo the whole Nation, by their Repreſentative in Parliament, ask pardon and abſolution from their former Schiſm, repealing the Oath of the Kings Supremacy, and all the Acts made formerly in *Henry* the Eighth, and *Edward* the Sixth's time againſt the Popes Supremacy: and amongſt them particularly this *Act* of the *Submiſſion of the Clergy*, ſet down before §. 22. and §. 23; whereby the Clergy had engaged themſelves to make nor promulge no Eccleſiaſtical Canons without the Kings conſent; and had alſo beſought the King to delegate ſome perſons whom he pleaſed, to reform Errors, Hereſies *&c*, *i, e.* to do the Offices of the Clergy. In which Statute alſo the Clergy, in a diſtinct Supplication beginning, *Nos Epiſcopi & Clerus* Cantuarienſis *Provinciæ in hac Synodo congregati* &c, calling the former Reformation *perniciosum Schiſma*, do petition to have the Church reſtored to her former Rights, Juriſdictions, Liberties, taken from her by the injuſtice of former times. [The words are, *Inſuper Majeſtatibus veſtris ſupplicamus, pro ſuâ pietate efficere dignentur, ut ea, quæ ad juriſdictionem noſtram & libertatem Eccleſiaſticam pertinent, ſine quibus debitum noſtri paſtoralis officii & curæ animarum nobis commiſſæ exercere non poſſumus, nobis ſuperiorum temporum injuriâ ablata, reſtituantur; & ea nobis & Eccleſiæ perpetuò illæſa & ſalva permaneant: & ut omnes leges, quæ hanc noſtram juriſdictionem & libertatem* §. 50.

Eccleſiaſticam tollunt, ſeu quovis modo impediunt, abregentur, ad honorem Dei &c.] Which Rights how welcome they were to them when now regained in Queen *Mary*'s days, we may gueſs from their former complaint in the beginning of King *Edward*'s days; where we ſee how much they grieved, when they ſaw them loſt. *Sanders* 2. l. p. 244. adds alſo, that at this time *Singuli Epiſcopi* (*uno tantum* Landaffenſi *excepto*) *peculiariter petierunt à ſede Apoſtolicâ veniam prioris graviſſimæ culpæ, & confirmationem in ſuo cujuſque Epiſcopatu.* Laſtly in the ſame Statute it is concluded: That the Eccleſiaſtical Juriſdictions of the Arch-Biſhops, Biſhops and Ordinaries, ſhould be in the ſame State, for proceſs of Suits, puniſhments of Errors, and execution of Cenſures of the Church, with knowledge of Cauſes belonging to the ſame, and as large in theſe Points as the ſaid Juriſdiction was in the Twentieth Year of *Henry* the Eighth.

See before §. 47.

§. 51. *And the Church Doctrine under King* Edward *condemned.*

After theſe Statutes, ſee to the ſame purpoſe the Synod held preſently after the Coronation of Queen *Mary*, before the introduction of any new Biſhops, ſave only ſome of thoſe that were ejected in King *Edward*'s Reign. In which Synod the Biſhop of *London* preſided, the Arch-Biſhop of *Canterbury* having been, about a Month before, by the Council, committed to the Tower for Treaſon; for which he was, ſome Two Months after, condemned, but afterward pardoned by the Queen. In this Synod *Fox* ſaith (p. 1282.) that the whole Houſe of Convocation, except Six perſons, did immediately aſſent, and ſubſcribe to the natural preſence of Chriſt in the Sacrament of the Altar; and Tranſubſtantiation: and to the renouncing, of the Catechiſme put forth in the latter time of King *Edward*, in the name of the Clergy, and of the new Book of Common-Prayer; theſe things being propoſed to them by the Prolocutor. At which time (ſaith he) Mr. *Philpot* Arch-Deacon of *Wincheſter was as it were aſtonied at the multitude of ſo many Learned Men as there were on purpoſe gathered together to maintain old Traditions, rather than the Truth of Gods Holy Word.*

Fox p. 1693.

After

After this Synod ſee in *Fox* p. 1294. the Eighteen Articles ſent by the Queen to the Biſhops (but theſe Articles ſuch as only enjoyned them the obſervance of former Church Conſtitutions, from which the late Innovations had diſobediently deviated) commanding them, to ſee to the Obſervance, in their Dioceſſes, of the Church Canons uſed in the time of *Henry* the Eighth; ſecuring them herein from the incurring any danger from the Laws of the Realm; ſee the 1. Act. The Second of which Articles requires them to omit in their Writs: *Regiâ authoritate fulcitus.* The Third, not to require the Oath of the Queens Supremacy, in their admiſſion of any into Church Preferments. The Fourth excludes Sacramentaries from all Eccleſiaſtical Functions; the Synod, held in *October* before, having declared againſt them. The Seventh excludes, according to the former Church Canons, all married Perſons from Eccleſiaſtical Promotions. The Ninth appointeth the Divorce of married Monks and other Religious Perſons, who had formerly taken the perpetual Vow of Continency; and the reſt are to renew ſome or other former order of the Church. §. 52. n. 1.

Laſtly ſee the Retractation made by the Clergy in Queen *Mary*'s days, confeſſed by *Maſon de Miniſt.* 3. l. 4. c. *Regnante* Mariâ *alia Epiſcopis mens, alius animus fuit* [*i, e.* concerning Supremacy:] To which all that he anſwers is this, *Eorum ſubſecuta inconſtantia confeſſionis* [prioris] *ſoliditatem abolere non potuit. Quamvis ſententias revocarunt, ſuis tamen ipſorum argumentis non ſatisfecerunt.* But, however that he will not grant the Kings Supremacy (I mean in ſuch a ſenſe as it was then maintained) to have been confuted by the Biſhops reaſoning; yet he grants it to have been revoked (ſo much as in them lay) by their Authority. §. 52. n. 2.

The only thing which can here be queſtioned, is: *whether this Clergy* in Queen *Mary*'s days, who in their following Synods abrogated the Acts and Conceſſions of the Clergy's former Synods in *Henry* the Eighth, and *Edward* the Sixth's days, *were a lawful* Clergy? Which §. 53. *That Queen Mary's Clergy was a lawful Clergy.*

if they be now; note, that they will alſo be ſo in the beginning of Queen *Elizabeth*'s days; when alſo they oppoſed her Reformation. Now it is queſtioned whether they were a lawful Clergy: α becauſe many of King *Edward*'s Biſhops were, in the beginning of this Queen's β Reign, ejected; β and ſome alſo burnt for Hereticks, γ and others put into their places; γ whilſt ſome of them δ were living, and ſo thoſe Sees not vacant: and δ that without the conſent of the Metropolitan, who for the three firſt Years of Queen *Mary* was *Cranmer*; without which Metropolitan's conſent the Ordination of any Biſhop in his Province was unlawful. See *Can. Nicen.* 4. *Can. Apoſtol.* 35. Now theſe Biſhops are numbred by *Fox* to have been then ejected: *Cranmer* from *Canterbury*; *Holgate* from *York*; *Ridley* from *London*; *Poynet* from *Wincheſter*; *Hooper* from *Worceſter*; [*he might have ſaid from* Gloceſter *too, for* Hooper, *in the latter end of* Edward *the Sixth's time, held both theſe Sees together in Commendam: and for* Worceſter, Latimer (*then living*) *had been Biſhop thereof in King* Henry's *days; out of which, for Non-conformity to the* Six Articles, *he was ejected, or for fear reſigned it, and was impriſoned in the Tower till King* Edward's *time; yet (for what reaſon I know not) could never then be reſtored to his Biſhoprick;*] Barlow *from* Bathe; Harley *from* Hereford; Taylor *from* Lincoln, [*but this was by death; not by the Queen, as appears in* Fox *p.* 1282.] *Ferrars* from St. *Davids*; *Coverdale* from *Exceſter*; *Scory* from *Chicheſter*; Beſides theſe I find two more mentioned by *Maſon de Miniſt.* p. 248. *Buſh* from *Briſtol*; and *Bird* from *Cheſter*. Of which Biſhops (Mr. *Fox* ſaith, p. 1280) Five were put out; that the former Poſſeſſors of thoſe Biſhopricks might be reſtored; *Bonner* to *London*, *Gardiner* to *Wincheſter*, *Day* to *Chicheſter*, *Heath* to *Worceſter* [*but* Heath *was afterward tranſlated to* York *in* Holgates *room, and* Pate *to* Worceſter *in* Hoopers *room,*] *Veſy* to *Exceſter*; Beſides which *Tonſtal* was reſtored to *Durham*; a Biſhoprick which, after *Tonſtal*'s Impriſonment, was firſt, kept void in King *Edward*'s days; and at laſt, by Act of Parliament, diſſolved to increaſe the Kings Revenue. Now

Pag. 1289.

See Godw. Anna'. *An. Dom.* 1555.

§. 54. *Reply to 2.*

Now in Vindication of the juſt Authority of Queen *Mary*'s Clergy, notwithſtanding what hath been objected, you muſt *Firſt* 1. take notice, That the Ejection of Biſhops in Queen *Mary*'s days was not the Firſt, but Second Ejection; the firſt being made in King *Edward*'s time, when *Gardiner*, *Bonner*, *Tonſtal*, *Day*, *Heath*, *Veſy*, and probably ſome other Biſhops were removed from their Sees: for I find not the *Eccleſiaſtical Hiſtory* of thoſe times accurately written by any; nor Mr. *Fox* to uſe the ſame diligence in numbring the Change of Clergy under King *Edward*, as he doth that under Queen *Mary*; yet ſomething may be conjectured from thoſe general words of his, p. 1180, *For the moſt part the Biſhops were changed, and the dumb Prelate compelled to give place to others that would Preach.* *Secondly*, That, if the Ejection of Biſhops in King *Edward*'s time was not lawful, ſo many of the Biſhops, as were then ejected, were, by Queen *Mary*, juſtly reſtored; and thoſe, who were introduced into their places, juſtly excluded. *Thirdly*, That to prove the Ejection of thoſe Biſhops under King *Edward* lawful; it muſt be done, both by a lawful Authority; and for a lawful Cauſe. *Fourthly*, But that, in both theſe reſpects, their Ejection, if the Principles formerly laid in this Diſcourſe ſtand good, appears not juſt.

1. *That the Biſhops in K. Edward's days were not lawfully ejected.*

2.

3.

4.

§. 55. 1. *Neither for the Judge.*

For 1. *Firſt*, theſe Biſhops being queſtioned about matters Eccleſiaſtical and Spiritual, their Judges were the Kings Privy Council, or his Commiſſioners, part Clergy, part Laity, as the King pleaſed to nominate them (contrary to Third *Theſis.*) Amongſt whom tho the Arch-Biſhop of *Canterbury* was one: yet he was ſo, not for his Canonical Superiority in the Church; but from the Authority he, jointly with the reſt, received from the King, when the former Statutes, concerning the *Tryal of Hereticks by the Clergy*, had been firſt abrogated, (*See before* §. 39.:) whereas the Clergy only are the lawful Judges of theſe matters; namely, to declare what is done contrary to the Laws of God, and of the Church; and to depoſe from the exerciſe of their Office

See Fox. *p.* 1237, *and p.* 1202.

Office the perſons found faulty therein. See *Theſis* Third.

§. 56. 2. *Nor for the Cauſe.*

Secondly, The Cauſes Eccleſiaſtical urged againſt them, for which they were removed from their Biſhopricks, were theſe; their non-acknowledgment of ſuch a large extended Power of the Kings Supremacy, as he then claimed and exerciſed in Eccleſiaſtical matters; their non-conformity to the Kings Injunctions (confirmed, if you will, with the conſent of the National Synod of the Clergy) in Spiritual matters. And amongſt theſe eſpecially; their not relinquiſhing the uſage of the former Church Liturgies, and Forms of Divine Service, and particularly the *Canon* of the *Maſs*; which had been a Service approved by the general Practice of the Church Catholick for near a 1000 Years; in which were now ſaid to be many Errors, for which it might not be lawfully uſed: their not uſing, and conforming to, the new Form of Common-Prayer, and Adminiſtration of the Sacraments, the new Form of Conſecration and Ordination of Prieſts; and many other clear Innovations againſt the former, not only Eccleſiaſtical Conſtitutions, or External Rites and Ceremonies (which it was affirmed, in one of the *Queſtions* diſputed on in the firſt Year of Queen *Elizabeth*, that every particular Church hath Authority to take away and change) but alſo Eccleſiaſtical Doctrines eſtabliſhed by Synods ſuperiour to that of this Nation; as hath been ſhewed in the Fourth Part of *Church Govern.* A Catalogue of which Doctrines and Canons I have ſet down before §. 45, having taken them out of the Three Copies of *Articles* propoſed to the then Biſhop of *Wincheſter*, to be ſubſcribed. Now ſuch Canons, whether concerning matters of Doctrine, or of Eccleſiaſtical Conſtitution, cannot be lawfully abrogated; neither by the King (See *Theſis* 1, 2. 7, 8;) nor by the National Synods of this Church, (See *Theſis* 4. 8:) and therefore the Ejection of thoſe Biſhops in *Edward* the Sixth's days, for not obeying the King, (I add, or the National Synod, had there been any ſuch before their Ejection,) in breaking ſuch Canons was unjuſt; and therefore they juſtly by Queen *Mary* reſtored,

See Church Gov. 4. par. §. 39.

See Fox 3. 1234, 1235.

ſtored, and the others that were found in their places, juſtly diſpoſſeſſed.

Fifthly, As for the reſt of King *Edward*'s Biſhops; who, beſides thoſe Biſhops that poſſeſſed theſe non-vacant Sees, were ejected in Queen *Mary*'s days: their Ejection (contrary to the other) will be juſtifiable; if done for a lawful Cauſe, and by a lawful Judge. 1. *Firſt* then; the Cauſes of their Ejection were theſe chiefly.

§. 57. 5. *That the Biſhops deprived in Qu. Mary's days were lawfully ejected* §. 58. 1. *Both as to the Cauſe.*

Firſt, For their being Married (which many, if not all, the Ejected were, *Cranmer*, *Holgate* the Arch-Biſhop of *York*, *Coverdale*, *Scory*, *Barlow*, *Hooper*, *Farrar*, *Harley*, *Bird*, *Buſh*; and ſome of them, after having taken Monaſtick Vows, as *Holgate*, *Coverdale*, *Barlow*, as appears in *Fox* and *Godwin*) contrary to the Canons of the Church both *Weſtern*, and *Eaſtern* (as to thoſe that marry after having received Holy Orders) both Modern and Ancient, even before the Council of *Nice*; as is ſhewed at large in the *Diſcourſe* of *Celibacy*, §. 18: and contrary to the Provincial Canons of the Church of *England*. (See *Fox* p. 1051, and 177, granting Celibacy of the Clergy to have been eſtabliſhed here for a Law by a National Synod in the time of *Anſelme* Arch-Biſhop of *Canterbury*, about *An. Dom.* 1080:) The Penalty of tranſgreſſing which Canons was Depoſition from their Office. See *Conc. Conſtant.* in *Trullo* (leſs ſtrict in this matter than the Weſtern Church) *Can.* 6, *Si quis poſt ſui ordinationem conjugium contrahere auſus fuerit, deponatur.* See the ſame in *Concil. Neocæſar.* before that of *Nice*, *Can.* 1. *Conc Elibert.* 33. c. *Affrican. Can.* 37. And ſee the ſame in the Canon of *Anſelme*, *that all Prieſts that keep Women ſhall be deprived of their Churches and all Eccleſiaſtical Benefices.*

Secondly, For their not acknowledging any Supremacy at all of the Roman Patriarch, more than of any other Forreign Biſhop, over the Clergy of *England*; contrary to the former Canons of many lawful Superior Councils, as is ſhewed in *Church Gov.* 1. Part §. 53. *&c*; and alſo contrary to the former Provincial ones of the Engliſh Church. And for their placing ſuch an Eccleſiaſti-

§. 59. 2.

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cal Supremacy in the Prince, as to uſe all Juriſdiction, to reform Hereſy, conſtitute or reverſe Eccleſiaſtical Laws, in the manner before expreſſed. Which Supremacy in the Church, ſince ſome body in each Prince's Dominion, where Chriſtians are, ever had here on Earth under Chriſt; I ſay, *ever*; not only after that Princes became Chriſtian, but before: Arch-Biſhop *Cranmer*, rather than that he would acknowledge it at any time to have lain in the Church, ſaid that, before the firſt Chriſtian Emperors time, it reſided in the Heathen Princes; and namely in *Nero* for one; affirming alſo the *Grand Seignior* now to be the Head of the Church in *Turky*; as you may ſee, in the Conference between Dr. *Martin* and him at his Tryal, in *Fox* p. 1704. Which Relation if any think falſe, let them ſay, what other anſwer, upon the former Suppoſitions there, can rationally be returned.

§. 60. 3. 3. For their refuſing to officiate or celebrate Divine Service, and adminiſter the Sacraments, according to the former eſtabliſhed Church Liturgies received and uſed by the whole Catholick Church for near a 1000 Years; or ſo much as to be preſent at it: which Divine Service they accuſed, not only of many ſuperſtitious Ceremonies; but of many Errors alſo, and of flat Idolatry, in the Adoration of Bread in the Euchariſt. See *Fox* his *Preface to the Reign of Queen* Mary p 1270; and Biſhop *Ridley*'s *Conferences* with *Latimer*. *Fox* p. 1560, and 1562, 1563.

§. 61. 4. For their maintaining ſeveral Tenents, eſpecially about the *Holy Euchariſt*, ſuch as had been formerly declared Hereſies by the Definitions of lawful Superior Councils. As

1. 1. *Firſt* the denying of any corporal Preſence of Chriſt, either with the conſecrated Elements; or with the worthy Receiver; whether by way of Tranſubſtantiation, or Conſubſtantiation: urging, that becauſe 'this Body was in Heaven, *ergo*, it could not be in the 'Sacrament; and affirming only a *Real Preſence* (I give 'you the very words of Biſhop *Ridley*) *if taken generally, and ſo as it may ſingnify any manner of thing which belong-*

the

eth to the Body of Chriſt. Hence Biſhop *Ridley*'s expreſſing of the manner of Chriſt's Preſence in the Euchariſt are ſuch as theſe: 'That the Conſecrated Bread is 'the Body of Chriſt, in remembrance of him and of 'his death. That, beſides a ſignification of Chriſt's Body 'ſet forth by the Sacrament; the Grace alſo of Chriſt's 'Body, *i, e.* the Food of Life and Immortality, is given 'to the faithful. That we recieve the vertue of the 'very Fleſh of Chriſt; the Life and Grace of his Body: 'The Grace and the Vertue of his very Nature. Spiri-'tual Fleſh; but not that which was Crucified. That 'Chriſt's Body is in the Sacrament; becauſe there is in 'it the Spirit of Chriſt, *i, e.* the Power of the word of 'God, which feedeth and cleanſeth the Soul. That 'the Natural Body and Blood, even that which was 'born of the Virgin *Mary &c*, is in the Sacrament, *vere* '*& realiter*; and that the difference from the Roman 'Church is only *in modo*, in the way and manner of Be-'ing: [*how is that?*] for we (ſaith he) confeſs it to 'be there *Spiritually* by Grace and Efficacy; becauſe 'that whoſoever receiveth worthily that Bread and 'Wine, receiveth effectuouſly Chriſt's Body and Blood; '*i, e.* he is made effectually Partaker of his Paſſion. But 'otherwiſe, Chriſt's Body is in the Sacrament really, 'no more, than the Holy Ghoſt is in the Element of Wa-'ter in Baptiſme; (therefore the Queſtion propoſed thus. *An Corpus Chriſti realiter adſit in Euchariſtiâ?* In King *Edward*'s time was held Negatively. See *Diſput. Oxon.* 1549, and King *Edw.* 28. Article.) Thus *Ridley*, who ſpake moſt clearly; and whoſe Schollar in this Opinion *Cranmer* was, he being formerly a *Lutheran*, and holding a Corporal Preſence. See theſe words of *Ridley*, *Fox* p. 1598. in his laſt Examination, and p. 1311, 1312. in his ſtating of the firſt Queſtion diſputed on at *Oxford*: which was not about Tranſubſtantiation, but about the Corporal Preſence of Chriſt, or the Real Preſence of Chriſt's Body in the Euchariſt; which thoſe Biſhops denied, as well as Tranſubſtantiation. The very ſame with whoſe Doctrine, was that of *Peter Martyr* pub-

Fox p. 1703

Fox p. 1115

Diſput. Oxon. 1549. *Fol.* 88. liſhed in King *Edward*'s days, *Illud idem corpus nos habere in cœnâ Domini, quod Chriſtus obtulit in Cruce, quoad ſubſtantiam & veritatem naturæ fateor, ſed non eodem modo: quia ſpiritualiter*, i, e. *per fidem ipſi percipimus*; *id vero ſubſtantiali & corporali præſentiâ pependit in cruce. Cum* Chryſoſtomo *id ipſum nos* [in Euchariſtiâ] *habere corpus quod in Cruce fuit oblatum fatemur: Sed non eſt modus recipiendi per præſentiam corporalem; ſed per præſentiam fidei, quæ poteſt res abſentes ſpiritualiter præſentes facere. Secondly*, The denying, that the Euchariſt might be offered as a Sacrifice propitiatory; and aſſerting that there was in the Euchariſt no other Oblation of Chriſt's Body, than the Oblation of our Thankſgiving for Chriſt's Body offered on the Croſs. To uſe *Peter Martyrs* words,

Diſput. Oxon. 1549. *Subſtantia hoſtiæ noſtræ eſt gratiarum actio de Corpore Chriſti tradito in Crucem; & hac gratiarum actione, fide atque confeſſione dixerunt Patres in Canâ offerri corpus Chriſti.* Which matters are contrary to the Doctrines and Definitions of former lawful Superior Councils; if thoſe Poſitions ſtand good, which have been ſaid at large in the *Diſcourſe of the Euchariſt*. §. 251. *&c*; and (*Conc. Sacrif.*) §. *&c*; and which have been laid down concerning Councils, in *Ch. Gov.* 4. Part: which former Poſitions it muſt not be expected that I prove again, wherever I make uſe of them.

§. 62. To juſtify which Tenents not to be Hereſies, thoſe Biſhops were fain to appeal from Councils to Scripture, and (not to deny ſuch Councils to be General or Superior; but) to deny the Authority of General or Superior Councils to be obliging, when contrary to the Holy Scriptures; *i, e.* to that ſenſe wherein themſelves, contrary to the Expoſition of the Church, interpreted the Holy Scriptures: as was ſoberly urged to Biſhop *Ridley* at his Tryal by the Biſhop of *Gloceſter*. *Fox* p. 1602. 'You (ſaith he) refuſing the Determination of the Ca-'tholick Church, bring Scripture for the Probation of 'your Aſſertions; and we alſo bring Scriptures. You 'underſtand them in one ſenſe; we in another. How 'will you know the truth herein? If you ſtand to your

own

'own Interpretation, you are wiſe in your own conceit;
'and *Væ qui ſapientes* &c. *Iſa.* 5. 21. But if you ſay, you
'will follow the minds of the Doctors and Ancient Fa-
'thers: ſemblably you underſtand them in one mean-
'ing, and we take them in another. How will you
'know the truth herein? If you ſtand to your own
'judgment; then are you ſingular in your own conceit,
'and cannot avoid the *Væ*. It remaineth therefore,
'that you ſubmit your ſelf to the determination and arbi-
'trement of the Church; with whom God promiſed
'to remain to the world's end. *Thus the other ſide argued*
'*with them.* But meanwhile what averſion they had
of ſubmitting to the judgment of the Church, or Coun-
cils, ſee in the forecited Conference of Biſhop *Ridley*
with *Latimer*. Where, having objected the Authority
of General Councils for the Maſs, he anſwereth thus,
'That, whenſoever they, who rule and govern the
'Church, are the lively Members of Chriſt, and walk
'after the guiding and rule of his Word; Councils ga-
'thered together of ſuch Guides do indeed repreſent
'the Univerſal Church; and have a promiſe of the
'guiding of his Spirit into all truth: But that any ſuch
'Council hath at any time allowed the Maſs *&c*, I affirm
'(ſaith he) to be impoſſible; for Superſtition [i. e. *the*
'*Maſs*] and the ſincere Religion of Chriſt, can never
'agree together. For Determination of all Controver-
'ſies in Chriſt's Religion, Chriſt hath left unto the
'Church not only *Moſes* and the Prophets, to ask coun-
'ſel at; but alſo the Goſpels. Chriſt would have the
'Church his Spouſe in all doubts to ask counſel at the
'word of his Father written. Neither do we read, that
'Chriſt in any place hath laid ſo great a Burthen upon
'the Members of his Spouſe; that he hath commanded
'them to go to the Univerſal Church. It is true, that
'Chriſt gave unto his Church *ſome Apoſtles, ſome Prophets*
'*&c*. But that all men ſhould meet together, out of
'all parts of the world, to define of the Articles of our
'Faith; I neither find it commanded of Chriſt, nor
'written in the Word of God. To which Biſhop *Latimer*

nexeth theſe words, 'In things pertaining to God and 'Faith, we muſt ſtand only to the Scriptures; which 'are able to make us all perfect and inſtructed to Salva-'tion, if they be well underſtood. And they offer them-'ſelves to be well underſtood, only to thoſe who have good 'wills, and give themſelves to ſtudy and Prayer: nei-'ther are there any men leſs apt to underſtand them, 'than the prudent and wiſe men of the world. Thus *Latimer* in application of his Diſcourſe to General Councils. See likewiſe Biſhop *Ridley*'s Diſputation at *Ox-*
Fox *f.* 1321. *ford*; where being preſſed with the Authority of the great *Lateran* Council; after having replyed, that there were Abbots, Priors and Friers in it to the Number of 800; he ſaith that he denyeth the Authority of this Council, not ſo much for that cauſe, as for this eſpecially; becauſe the Doctrine of that Council agreed not with the word of God [i. e. *as he underſtood this word.*] *Thus he* (who was counted the moſt Learned of thoſe Biſhops) *concerning the Authority of Councils.* See like matter in the Diſcourſe between Lord *Rich* and Mr. *Philpot*, *Fox* p. 1641.

§. 63. To proceed. Theſe Canons and Definitions, I ſay not, of *Popes* and *Pontificians*, as they were ordinarily then Nick-named, but of ſuppoſed former lawful Superior Councils, were then in juſt force in Queen *Mary*'s days; notwithſtanding any abrogation of them made by a National (*i. e.* an Inferior) Synod; See *Theſis* the Fourth, and the Eighth; as alſo was frequently urged againſt thoſe queſtioned Biſhops. See the Examination of Arch Biſhop *Cranmer*, *Fox* p. 1702. where Dr. *Story* the Queens Commiſſioner thus objecteth; but receives no anſwer there to it; 'The Canons, which be received 'of all Chriſtendome, compel you to anſwer. For altho 'this Realm of late time, thro ſuch Schiſmaticks, as you, 'have exiled and baniſhed the Canons; yet that cannot 'make for you; for you know: that, *par in parem, nec 'pars in totum aliquid ſtatuere poteſt.* Wherefore this 'Iſle, being indeed but a Member of the whole, could 'not determine againſt the whole. Thus Dr. *Story*.

Yet

Yet neither, in Queen *Mary*'s time, could the Authority of a National Synod, or an Act of Parliament be pleaded, for ſuch an abrogation of the old Canons or Liturgies or Supremacies, and the eſtabliſhment of new: becauſe both the Synod and Parliament of this Nation, in the beginning of her Reign, had pulled down again, what thoſe under King *Edward* and *Henry* had builded; ſo that thoſe Biſhops could not hereupon ground their non-conformity: which Argument Dr. *Story* there alſo proſecuteth againſt the Arch-Biſhop.

Such as theſe then being the Cauſes of the Ejection of thoſe Biſhops, I think it is evidenced; that they were Regularly and Canonically ejected, as to the Cauſe. And 2. Next: ſo were they, as to the Judge, They being condemned, as guilty of Hereſy, or other Irregularities (which are mulcted with Depoſition) and ſo ejected, or alſo degraded, and excommunicated with the greater Excommunication (further than which the Eccleſiaſtical Power did not proceed) not by any Secular Court, or by the Queen's Commiſſioners; but by thoſe whom the Church hath appointed, in the Intervals of Councils, the ordinary Judges of Hereſy, or other Breaches of her Canons: Amongſt whom the higheſt Judges are the Patriarchs; and, above them, the firſt Patriarch of *Rome*. By whoſe Delegates the more Eminent Perſons, that were accuſed of Hereſy, the Arch-Biſhop and the Biſhops were here tryed (according to the Authority ſhewed, to be due to, and to be anciently uſed by, him, in *Chur. Gov.* 1. Part. §. 9. 20. *&c*, and 2. Part §. 77;) and other Inferior Perſons were tryed by the Biſhop, who was their Ordinary: Queen *Mary* having revived the Statutes repealed by King *Henry* and *Edward* concerning the *Tryal of Hereticks* by the Church's Authority; as hath been noted before §. 49. The iſſue of which Tryal by the Church, if they found guilty, was either Depoſition only from their Benefice and Office, for Breach of her Canons; or alſo Excommunication *excommunicatione majori*, and Degradation, for Hereſy and Oppoſition of her Definitions in matters of Faith; and ſo the yield

§. 64. *And 2ly, As to the Judg.* 2.

yielding them up, as now by degradation rendred Secular Perſons, to have inflicted on them by the Secular Power the puniſhments appointed for ſuch crimes by the Secular Laws; as you may ſee, in the Forms of the Condemnation of *Cranmer*, *Ridley*, &c *Fox* p. 1603, and elſewhere; and in the Profeſſion of the Biſhop of *Lincoln* to Biſhop *Ridley*, *Fox* p. 1597. *All* (ſaith he) *that we may do, is to cut you off from the Church; for we cannot condemn you to dy* (*as moſt untruly hath been reported of us*) &c.

§. 65. To. 8. Where *Concern. the burning of thoſe, wh. in Q. Mary's day., were by the Chu. condemned of Hereſy.*

As for the burning of ſuch afterward, whom the Church firſt condemns of Hereſy, it is to be conſidered; That the Secular Laws, not Eccleſiaſtical, appoint it; and the Secular Magiſtrates, not Eccleſiaſtical, execute it: Again; That Proteſtant Princes, as well as Catholick; King *Edward*, King *James*, Queen *Elizabeth*, as well as Queen *Mary*, have thought fit to execute this Law upon Hereticks. So in *Edward* the Sixth's days, *Joan of Kent*, *Anne Askews* Maid (who was burnt in *Henry* the Eighth's days, for denying the *Real Preſence*) and *George Paris* were burnt for Hereticks. *Fox* p. 1180: And ſome other Anabaptiſts condemned and recanting were enjoined to bear their Faggots. See *Stow* p. 596. And, in *Henry* the Eighth's time, Arch-Biſhop *Cranmer*, in the Kings preſence, diſputed againſt *Jo. Lambert* for denying the Real Preſence; and the Lord *Cromwel* pronounced Sentence upon him to be burnt for it. *Fox* p. 1024, 1026. And the ſame Arch-Biſhop, being as yet only a Lutheran, ſaith *Fox* p. 1115, proſecuted others upon the ſame grounds; and alſo in the beginning of King *Edward*'s Reign, before that the *Protector* and his Party appeared much for *Zuinglianiſme*, committed to the Counter *Thomas Dobb*, a Maſter of Art, upon the ſame Account; who alſo dyed in Priſon. *Fox* p. 1180. In Queen *Elizabeth*'s days one *Jo. Lewes* and *Matthew Hammond* were burnt for Hereticks; after they were firſt condemned by the Biſhop, and ſo delivered over to the Secular Power; as thoſe were in Queen *Mary*'s Reign. So alſo was *Hacket* execu-

executed then partly for Hereſy and Blaſphemy; and Two Browniſts, *Coppin* and *Thocker*, hanged at St. *Edmunds-bury*, *An. Dom.* 1583 for Publiſhing *Brown*'s Book written againſt the Common-Prayer-Book: Likewiſe ſeveral others in her time condemned and recanting bare their Faggots. See *Stow* p. 679, 680. In King *James*'s time *Bartholomew Legat* was burnt for an Heretick. And in his time *An.* 3. *Jac.* 4. c. a Law was Enacted concerning Hanging, Drawing, and Quartering any who ſhould turn Papiſt and be reconciled to the Pope and See of *Rome*, tho a meer Laick, tho one taking the Oath of Allegiance (as ſeveral reconciled do:) The Words are *If any ſhall be willingly reconciled to the Pope or See of* Rome, *or ſhall promiſe Obedience to any ſuch pretended Authority; that every ſuch Perſon or Perſons ſhall be to all intents adjudged Traytors.* Is not this putting to death for pretended Hereſy? And *to a Death* worſe than Burning? So in Proteſtant States abroad, *Servetus* by that of *Geneva*, *Valentinus Gentilis* by that of *Berne*, were burnt for Hereticks, *Calvin* approving.

See Hollin. *Qu.* Eliz. *A. Reg.* 21. & 25.

Stow p. 1174 Cambden's *Hiſt.* Eliz. p. 257.

This to ſhew the Proteſtant's judgment, concerning the juſtneſs and equity of the Law of burning Hereticks. But whether this Law in it ſelf be juſt: and again if juſt, whether it may juſtly be extended to all thoſe ſimple People put to death in Queen *Mary*'s days (ſuch as St. *Auſtine* calls *Hæreticis credentes*) becauſe they had ſo much Obſtinacy, as not to recant thoſe Errors, for which they ſaw their former Teachers Sacrifice their Life; eſpecially when they were prejudiced by the moſt common contrary Doctrine and Practice in the precedent times of *Edward* the Sixth; and had lived in ſuch a condition of life, as neither had means, nor leiſure, nor capacity, to examine the Church's Authority, Councils, or Fathers; ordinarily ſuch perſons being only to be reduced (as they were perverted) by the contrary faſhion and courſe of the times, and by Example; not by Argument, either from reaſon, or from authority (and the ſame, as I ſay of theſe Laity, may perhaps alſo be ſaid of ſome illiterate Clergy:) whether I ſay this Law

§. 66.

Law may juſtly be extended to ſuch, and the higheſt ſuffering, death be inflicted (eſpecially where the Delinquents ſo numerous) rather than ſome lower Cenſures of Pecuniary Mulcts or Impriſonment; theſe things I meddle not with, nor would be thought at all in this place to juſtify. Tho ſome amongſt thoſe unlearned Lay-people I confeſs to have been extreamly Arrogant and obſtinate, and zealous beyond knowledge; and, tho they had ſuffered for a good Cauſe, yet ſuffering for it on no good or reaſonable ground: as neither themſelves being any way Learned, nor pretending the Authority of any Church; nor relying on any preſent Teachers, but on the certainty of their own private judgment interpreting Scripture; as you may ſee, if you have a mind, in the Diſputations of *Anne Askew* (*Fox* p. 1125.) *Woodman* the Iron-maker, (*Fox* p. 1800.) *Fortune* the Smith, (*Fox* p. 1741.) *Allen* the Miller, (*Fox* p. 1796.) and other Mechanicks, with Biſhops, and other Learned Men, concerning the *lawfulneſs of the Maſs*, the *Authority of the Church*, the *Number of the Sacraments*, the *manner* or poſſibility of *Chriſt's Preſence* in the *Euchariſt*, *&c:* themſelves afterward penning or cauſing to be penned (you may judge with what Integrity) the Relations, which we have of the ſaid Diſputations. See more concerning the erroneous zeal of ſuch like Perſons in *Fox Monuments* later Edition *Vol.* 3. *Fol.* 242. 286. 396. 886.

§. 67. And therefore others lawfully introduced in their places To. 7. 1.

This concerning the lawful Ejection of thoſe Proteſtant Biſhops in the beginning of Queen *Mary*'s Reign; which if lawful, ſo alſo will be, the introduction of thoſe who were choſen in their rooms: tho this Introduction was, *1. whilſt they Living; or *2. without their, or the Metropolitan's, Conſent. 1. *Tho whilſt they Living*; if ſuch Election of them be, after that the other are juſtly ejected: Of this none can doubt. Now moſt of the Proteſtant Biſhops were ejected, at the very beginning of Queen *Mary* s days, for being married; tho ſome of them not ſo ſpeedily ſentenced for Hereſy. But ſuppoſe the Introduction of the other was whilſt they

living,

living, and before their lawful Ejection: yet theſe Biſhops that are ſo (unjuſtly, I grant,) introduced, if, after that the others are ejected, then their Superiors, having the power to elect into ſuch place, do acknowledge and approve them, from thence forward begin to be legitimate; and enjoy a good Title.

§. 68. To A. 2.

2. *Tho without their, or the Metropolitan's, Conſent.* For if the Arch-Biſhop, without whoſe conſent the Canon permitteth not any Biſhop to be conſecrated in his Province, be, upon juſt cauſe, and eſpecially upon ſuſpicion of Hereſy, in any reſtraint; ſo as he cannot ſafely be ſuffered, either in reſpect of the Church, or State, any longer to execute his office, till cleared of ſuch guilt: here his Office is rightly adminiſtred, as *in Sede vacante*, by ſome other; whether it be, by ſome Biſhop of the Province, his Ordinary Vice-gerent or Subſtitute in ſuch Caſes; or by the Delegates of that Authority, which in the Church is Superior to the Arch-Biſhops; or by the conſent of the major part of the Biſhops of ſuch Province. And ſo Arch-Biſhop *Cranmer* being, at Queen *Mary*'s firſt Entrance, accuſed, 1. of being Married (an Irregularity incurring Depoſition; and alſo confeſſed;) and 2. of Treaſon; and 3. of Hereſy; and for the Second of theſe being by the Queen's Council immediately impriſoned; and ſhortly after condemned to dye, before the Conſecration of any new Biſhop: his Office was now lawfully ſupplyed by another (either by Cardinal *Pool* the Popes Legat; or by the Biſhop the next dignified Perſon after the Arch-Biſhop in the Province; or by whomſoever the Queen ſhould depute:) as for any exceptions, that the Arch-Biſhop could make againſt it; ſince he acknowledged her for the Supreme Head of the Engliſh Church. Or if, notwithſtanding ſuch his reſtraint or condemnation, according to the Canon, no new Biſhop could be made without the Arch-Biſhop's conſent: yet could Arch-Biſhop *Cranmer* juſtly claim no ſuch Authority from the Canon as indeed he never did.) 1. Becauſe he held the abrogation of ſuch *Canons* to be in the Power of the Prince, as the Supreme 1.

Head of this Church; at leaſt when aſſiſted with the Parliament, and major part of the Clergy: And ſo then was this (arguing *ad homines*) abrogated by Queen *Mary*
2. appointing, allowing, theſe new Elections. 2. Becauſe he had conſented to the Statutes made formerly. 25. *Hen.* 8. 20. c. and 1 *Edw.* 6. 2; where the Arch-Biſhop is neceſſitated to conſecrate ſuch perſon, as the King, from whom all Eccleſiaſtical Juriſdiction is derived, ſhall preſent: or, he refuſing, the King may appoint any other two Biſhops for him, to do it in his ſtead; *ergo*, ſo might Queen *Mary*, according to theſe Statutes.

§. 69. Thus much, That Queen *Mary*'s Clergy were a lawful Clergy; (which indeed, except for a few, and thoſe not yet choſen or acting in the beginning of her Reign, cannot be called in queſtion;) and That their reverſing the former Conſtitutions of *Henry* the Eighth, or *Edward* the Sixth's Clergy, as to the Authority that did it, was a lawful Synodical Act. But in the next place, ſuppoſe that the Queen had acted ſingly without or againſt her Clergy (but with the Approbation of thoſe Governors in the Church Catholick as are the lawful Superiors to this Clergy) in re-eſtabliſhing the former Profeſſion of Religion uſed in *Henry* the Eighth's time, before the Reformation; yet, ſo far as this Profeſſion is evident to have been according to the Conſtitutions of the Church, and of former Synods Superior to the Synods of this Nation, (which Conſtitutions do therefore ſtand ſtill in their juſt force;) this Act of hers would ſtill be juſtifiable: becauſe Sovereigns have ſuch a Supremacy acknowledged by all due unto them, as to uſe a Coactive Power in cauſing the Execution, within their Dominions, of ſuch Church Canons, as are granted to be in force; without any inferiour further Licence or conſent thereto. Nor is this doing any more, than if the King of *England*, now re-eſtabliſhed in his Throne, ſhould, without, or againſt the Vote of the preſent Miniſtery here, reſtore the Biſhops, and the Eccleſiaſtical Laws again to their former office and vigour; which theſe men never had any juſt or ſuperior Authority to diſplace, or abrogate.

CHAP.

CHAP. VI.

The former Supremacy re-aſſumed by Qu. Elizaboth.

IN the laſt place we come to the times of Queen *Elizabeth*; where we find, by the Authority of the Queen and her Parliament, all the repeals of the Statutes of *Henry* the Eighth, and *Edward* the Sixth, in order to the Regal Supremacy and Reformation, which Repeals were made in Queen *Mary*'s days, now again repealed [except in Two, 26. *Hen.* 8. 1. c. and 35. *Hen.* 8. 3 c. which give to *Henry* the Eighth the Title of *Head of the Church of England*; which was changed by the Queen into that of *Governor*, as better befitting a Woman. As for Biſhop *Bramhal*'s Obſervation of Two other Statutes of *Henry* the Eighth, unreſtored by Queen *Eliz.* 28. *Hen.* 8. 10. c. *An Act* (ſaith he) *of extinguiſhing the Authority of the Biſhop of* Rome *out of this Realm*: and 35. *Hen.* 8. 5. *c. An Act made for Corroboration of the former*; if you pleaſe to view them, and compare with them 1 *Eliz.* 1. c. you will find the cauſe to be, not the Queens preſerving and retaining here any Authority of the Pope, which *Henry* renounced; but the *Six Articles* in the one, and the old *Forms* of Oaths in the other, thought fit by her to be laid aſide.] and all the Power and Priviledges whatſoever of Supremacy in Eccleſiaſticals, that were conceded to *Henry* the Eighth, or *Edward* the Sixth, as fully transferred to Queen *Elizabeth*. For which ſee the *Act* 1. *Eliz.* 1. c. (ſee the ſame 8. *Eliz* 1. c.) running thus; 'That all Juriſdictions, Priviledges, Supe-'riorities Spiritual and Eccleſiaſtical, as by any Spiritual 'or Eccleſiaſtical Power hath heretofore been exerciſed, 'for the Viſitation of Eccleſiaſtical State and Perſons, 'and for Reformation, Orders, and Correction of the 'ſame, and of all manner of Errors, Hereſies, Schiſms, *&c.* 'ſhall for ever, by Authority of this Parliament, be 'united

§. 70. 3. *What Supremacy claimed &c in the times of Q.* Eliz.

That as ample a Supremacy was claimed, & by Parliament conferred, on her, as on K. Hen. or Ed.

'united and annexed to the Imperial Crown of this 'Realm. And that your Highneſs, your Heirs *&c*, ſhall 'have full Power and Authority, by vertue of this Act, 'to name and authorize ſuch perſons, as your Majeſty 'ſhall think meet [*without any being obliged as* Henry *the Eighth was, that half the number ſhould be of the* 'Clergy] to exerciſe and execute under your Highneſs 'all manner of Juriſdictions, Priviledges *&c*; and to 'viſit, reform, and amend all ſuch Errors, Hereſies, 'Schiſms *&c*, which by any manner Spiritual or Ec-'cleſiaſtical Power may lawfully be reformed; and that 'ſuch perſons ſhall have full power by vertue of this Act 'to execute all the Premiſes; any matter or cauſe to 'the contrary in any wiſe notwithſtanding. Provided 'always that no manner of Order, Act, or Determina-'tion, for any matter of Religion or cauſe Eccleſiaſti-'cal, made by the Authority of this preſent Parliament 'ſhall be adjudged [i. e, *by thoſe perſons*] at any time 'to be any Error, Hereſy, Schiſm *&c*, any Decree, Con-'ſtitution or Law, whatſoever the ſame be, to the con-'trary notwithſtanding [*this Proviſo perhaps was put in, becauſe all the Biſhops that were in the Parliament oppoſed this Statute.* See *Cambden* 1. *Eliz.*] Provided [*again*] 'that ſuch perſons authorized to reform *&c*, ſhall not 'in any wiſe have Authority to determine or adjudge 'any matter or cauſe to be Hereſy, [*I ſuppoſe by* Hereſy *is meant here any Error contrary to what ought to be believed and practiſed in Divine matters*] but only, Such as here-'tofore have been determined to be Hereſy by the Au-'thority of the Canonical Scriptures; or by the firſt 'Four General Councils; or by any other General Coun-'cils, wherein the ſame is declared Hereſy by the expreſs 'and plain words of the ſaid Canonical Scriptures; or 'Such, as hereafter ſhall be judged and determined to 'be Hereſy by the High Court of Parliament of this 'Realm, with the aſſent of the Clergy in their Convo-'cation [*here therefore nothing, whether by the Clergy or others, could be* de novo *declared or adjudged Hereſy; unleſs the High Court of Parliament alſo adjudged it to be ſo.*]

In

In the ſame Statute concerning the Extent of the Queen's Supremacy, it is expreſly ordained 'That the 'Branches, Sentences, and words of the ſaid ſeveral 'Acts [i. e. *made in* Henry *the Eighth's time touching Su-* '*premacy*] and every one of them, ſhall be deemed and 'taken to extend to your Highneſs, as fully and largely, 'as ever the ſame Acts did extend to the ſaid late King '*Henry* the Eighth, your Highneſſes Father. The ſame thing alſo appears in the Queen's Admonition, annexed to her Injunctions, to prevent any ſiniſter Interpretations of the Oath of Supremacy then impoſed: which ſaith: 'That the Queen's Majeſty, informed that ſome 'of her Subjects found ſome ſcruple in the Form of this 'Oath *&c*, would that all her loving Subjects ſhould 'underſtand; that nothing was, is, or ſhall be meant 'or intended by the ſame Oath, to have any other Duty 'or Allegiance required by that Oath, than was acknow-'ledged to be due to King *Henry* the Eighth, her Ma-'jeſty's Father, or King *Edward* the Sixth her Majeſty's 'Brother. [*It proceeds, ſhewing thoſe ſcruples that were made by ſome againſt the Oath.*] And further her Majeſty 'forbiddeth her Subjects to give credit to ſuch perſons, 'who notify to her Subjects, how by the words of the 'ſaid Oath it may be collected, that the Kings or Queens 'of this Realm *may challenge authority of Miniſtery of Di-vine Offices in the Church*; Wherein her Subjects be much 'abuſed. For her Majeſty neither doth nor ever will 'challenge any other Authority, than that was chal-'lenged, and lately uſed by King *Henry*, and King *Ed-'ward*; which is and was of ancient time due to the 'Imperial Crown of this Realm; that is, under God 'to have the Sovereignty and Rule over all manner of 'perſons born within theſe her Realms, whether Ec-'cleſiaſtical or Temporal, ſo as no other Sovereign Power 'ſhall or ought to have any Superiority over them [*but this Sovereignty and Rule, I ſuppoſe, muſt be underſtood to extend to all the Particulars, which Queen* Elizabeth's *Sta-tute but now recited alloweth to belong to it, and wherein* Henry *the Eighth, and* Edward *the Sixth uſed or were allowed*

§. 71.

See Cambd. *Hiſt.* Eliz. *p.* 20.

allowed it.] And if any Perſon, who hath conceived any other ſenſe of the Form of the ſaid Oath, [i. e. *that in it the Queen challenged Authority of Miniſtery of Divine Offices in the Church*] ſhall accept the ſame Oath with this interpretation, ſenſe or meaning [i. e. *that ſhe had ſuch Sovereignty as was challenged and lately uſed by her Father and Brother*:] Her Majeſty is well pleaſed to accept every ſuch Perſon in that behalf as her Obedient Subject. Thus the *Admonition*; and the ſame is ſaid in the Statute 5. *Eliz.* 1. c, referring to the *Admonition*, 'That none other Authority was by that Oath acknow-'ledged in her Majeſty, than that which was challenged 'and uſed by thoſe Two Kings. See likewiſe 1 *Eliz.* 1. c, the Repeal of the former way of the Tryal of Hereticks, that was revived according to the former Statutes by Queen *Mary*; leaving the Supremacy in *Spirituals* to Church-men.

§. 72. Where *Concerning certain qualifications of her Supremacy urged by the Reformed.*

Neither do the ſeveral things, that are noted by Dr. *Fern* (in his *Examen.* of *Champny* 9. c. §. 16. 20.) and others, as qualifications and bounds of the Supremacy of Queen *Elizabeth*, ſeem to come home to their purpoſe ſo far, as to render it juſtifiable. There are urged by them; 1. The Stile ſhe uſed, in calling her ſelf not Supream *Head*, but only Supream *Governor*. 2. The Words in the *Admonition*, viz. *Her Majeſty doth not challenge any other Authority, than under God to have the Sovereignty and Rule over all manner of Perſons &c:* as the words are recited but now. 3. The words of the 37. Article of the Church of *England* relating to theſe of the *Admonition*; *We give not to our Princes the miniſtring either of Gods Word or of the Sacraments; the which thing the Injunctions lately ſet forth by* Elizabeth *our Queen do moſt plainly teſtify; but that only Prerogative which we ſee to have been given always to all Godly Princes in Holy Scriptures by God himſelf: that is, that they ſhould rule all Eſtates and Degrees committed to their charge by God, whether they be Eccleſiaſtical or Temporal; and reſtrain with the Civil Sword the ſtubborn and evil Doers.* 4. The Qualification of the Authority of the Queen's Commiſſi-

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oners;

oners to judge or determine Hereſies, *Provided always that ſuch perſons authorized &c.* See the Words quoted before §. 70.

But to theſe it is rationally replyed; To the *Firſt*, That, if the ſame, and as much power be ſtill ſignified by the Queen's Title now, as was before by the other; which hath been ſhewed but now in the Statute, in the *Admonition &c*: what matters the varying of words, that alters nothing in the ſenſe? Neither is the Title of *Head of the Church*, ſo it be underſtood ſubordinate to Chriſt, incompetent to ſome perſon or other, here on earth. §. 73. *And the Replies to them.* Reply *to the Firſt.*

To the *Second*, That the words quoted out of the *Admonition* may indeed be taken in ſuch a general ſenſe, that all ſides will willingly ſubſcribe to. For *the Queen hath a Sovereignty and Rule over all manner perſons born within her Realms ſo* [*i. e.* in ſuch manner] *as no other Forreign Sovereign Power hath*: namely, in this manner; to puniſh her Subjects whatſoever with the Temporal Sword, either for the Breach of the Church's Canons and Decrees, or for the Breach of her own Laws. Again; That the words may be taken in ſuch a ſenſe, as that, tho they ſignified no more (of which preſently) yet none can juſtly ſubſcribe them, ſuppoſing thoſe things true concerning the *Weſtern Patriarch*, and concerning *Superior Councils*, and concerning *Church Conſtitutions*, which are laid down in the Firſt and Second Part of *Church Government*, and in the Fourth and Eighth *Theſis*: namely, if they be taken in this ſenſe: *That no Forreign Power hath any Eccleſiaſtical Superiority or Juriſdiction in any manner whatſoever over the Church of* England (without reflecting on this Controverſy at all; namely, Whether the *Sovereign Power* here *at home*, for the judging and reforming of what is Error, Hereſy, Superſtition *&c*, and for the abrogating or eſtabliſhing the former Liturgies of the Church, Canons of Superior, or alſo National Synods, *doth lye in the Prince*; or in ſome others, *viz.* the Clergy of this Nation; or alſo, in the Parliament: or in all theſe jointly; ſo that the Clergy can do §. 74. *To the 2d*

do none of theſe things without the Prince, or Parliament; nor Prince, without the major part of Clergy.) But theſe Two Senſes of theſe words (of which the later is not juſtifiable) are, both of them, too much reſtrained, in reſpect of the intent of this Admonition, as may be gathered from the Precedents in the ſame Admonition; where the Queen's Sovereignty is extended to all the Particulars, wherein *Henry* the Eighth, and *Edward* the Sixth uſed or were allowed it. And from the Statute 1. *Eliz.* 1. but now recited; which ſurely this Admonition was not written to contradict or repeal. And from the ordinary practice of theſe Princes, which ſhall be more ſhewed anon; without which Practice ſuch Reformation could not have been effected; and therefore this Practice muſt be juſtified. And from the Teſtimony of the Proteſtant Writers; who vindicate and maintain a Supremacy of a much larger extent, and anſwerable to the Expreſſions in the Acts of Parliament; even to the Prince's not only ruling over all Perſons Eccleſiaſtical, but judging and determining in matters Eccleſiaſtical, what therein is Diſſonant from, or Conſonant to, Gods Word; and then eſtabliſhing it in their Dominions, tho contrary to former Church Canons, tho without or againſt the Vote of the major part of their own Clergy; as ſhall be ſhewed below §. 203 *&c*: which thing alſo is maintained to have been done by the Holy Kings of *Iſrael*.

§. 75. *To the Third.*

To the *Third* the ſame may be repeated, which is ſaid to the *Second*; and this part of the Article, tho annexed for an Explanation, is couched in ſuch general Terms, as that it will be ſubſcribed to by all ſides: (*Fr. a S. Clara* Expoſ. 39 Articles alloweth it; and ſaith alſo: *Hic Articulus a Gallis & Parliamento Pariſienſi, ſalvâ communione Eccleſiæ, uſurpatur.*) Neither doth it contain any thing but which may well conſiſt with the contradictory of that Propoſition, which follows there, viz. *That the Biſhop of* Rome *hath no Juriſdiction in this Realm.*

To

To the *Fourth.* 1. That the *Proviſo* made by the Queen and her Parliament ſeems only to limit the Perſons, whom the Queen ſhall nominate for her Delegates; that they ſhall adjudge nothing Error or Hereſy without the conſent of Parliament and Convocation (as likewiſe they made another *Proviſo*, that they ſhould adjudge no Order of the Parliament in Eccleſiaſtical matters to be Error or Hereſy. See the ſame *Statute*:) but not to limit the Queen; who holds the Supremacy of this Church, and ſo theſe pretended Conſequences thereof, as her own right, and not from Gift, but Recognition only, of the Parliament and Clergy; and, who, in the Statute, and, I think, in the Doctrine of our Divines, See below §. 204. *&c*, is acknowledged to have Power to reform Error, Hereſy, Schiſm (which preſuppoſeth judging what is ſo) without any ſuch *Proviſo* of conſent of Councils, or Parliament: as alſo the pious Kings of *Judah* are urged to have done the like. Or if the *Proviſo* limit the Prince alſo; That then the Practice of the Reforming Princes will not be juſtifiable, nor their Reformation; who have corrected many Doctrines without conſent of Councils (nay when lawful Superior Synods have decreed the contrary) and without conſent of Convocation; and others without conſent of Parliament. But *Secondly*, The limitation here, whether of thoſe Perſons, or of the Prince, in adjudging Errors and Hereſies in Divine matters, if the words be narrowly conſidered, ſeems to be, in effect, none. For (as you may ſee in the *Proviſo*) if ſuch thing hath been determined to be Hereſy by the Authority of the Canonical Scripture (i. e. *ſeem to them to be ſo*) they need look no further for conſent of Councils, or Parliament, or Clergy: and no more need they to regard Councils, tho defining the contrary, if they have not defined ſo by the expreſs and plain words of the ſaid Canonical Scripture; of which thing they are to judge. See before §. 36. the *Speech of the Lord* Cromwel. *Thirdly*, Suppoſe there be a conſent of the King and Clergy, without, or againſt Authority of Parliament: ſuch thing cannot

§. 76. *To the Fourth.* 1.

2.

3.

be adjudged Hereſy, according to this *Proviſo*; if it
4. be extended to the Prince. *Fourthly*, Suppoſing that the Clergy and Parliament judge ſomething to be Error or Hereſy, which former Councils, Superior to this National Synod, have determined to be a Divine Truth: this *Proviſo's* allowing the Prince to follow the conſent of his Parliament and Clergy, upon pretence of the Councils not defining according to expreſs Scripture, will offend againſt the Fourth and Eighth *Theſis*.

§. 7. *But ſuch Supremacy not acknowledged or conſented to by the Clergy.*

Thus much to ſhew, that the ſame Supremacy, that was acknowledged to King *Henry* and King *Edward*, was alſo to Queen *Elizabeth*, by her Parliament. But you may obſerve; that neither it (in ſuch a ſenſe as it was challenged) nor the Reformation, that was effected by it, were acknowledged, or conſented to, by her Biſhops, or the Clergy: I mean that Clergy which was in being at the beginning of her Reign; which hath been proved already, §. 54. *&c*, to be a lawful Clergy. And, when theſe things touching *Supremacy* and *Reformation* were paſſed by the Parliament, all the Biſhops, that ſate there, oppoſed them (See *Cambden A.* 2. *Eliz.*) probably, becauſe in thoſe Two former Kings days they had by Experience learnt the Treſpaſſes which ſuch a Supremacy made upon the proper Rights and Juriſdictions of the Clergy; and the Irreverence, and Libertiniſme, and Diſtraction which the Innovation of the Liturgies and other Religious Rites brought into the Church; beſides the unlawfulneſs of a part reforming againſt the whole. Thus at that time the Clergy behaved themſelves. Neither, in lieu thereof, can the Conceſſions to theſe or the like things by the former Clergy that was under *Henry* the Eighth, or *Edward* the Sixth, be here pleaded; becauſe theſe were retracted again by the Clergy in Queen *Mary*'s time: neither can the Conceſſion of the Clergy of later times, in Queen *Elizabeth*'s Reign, be urged; becauſe this Clergy was firſt changed and moulded to the Queen's Religion; the former being unlawfully ejected, as ſhall be ſhewed hereafter.

CHAP.

CHAP. VII.

The Actings of Henry *the Eighth (upon ſuch Supremacy acknowledged) in Eccleſiaſtical Affairs.*

III. Head.

I have ſpoken hitherto from *Sect.* 26. concerning *what manner of Supremacy it was, that theſe Princes aſſumed,* or alſo the Clergy or Parliament recognized, *as their Right.* In the Third place I promiſed to ſhew you, *how,* according to this their conceived right, *theſe Three Princes acted in matters Eccleſiaſtical*

§. 78. *How, according to ſuch Supremacy aſſumed, theſe Three Princes acted in Eccleſiaſtical Affairs.*

And firſt to begin with *Henry* the Eighth. *Firſt,* By vertue of ſuch a Supremacy, he committed the former Canons and Laws of the Church, calling them the *Pontificial* Laws, to the Arbitrement of Thirty Two Perſons nominated by him, half Laicks; to be abrogated, corrected, reformed, as they, with his Confirmation, ſhould think meet. *Nec eo contentus* (ſaith the Prefacer to the *Reformatio legum Eccleſiaſticarum* Reprinted 1640.) *cordatus Rex* [*Henry* the Eighth] *ut nomen, nudoſque ſolum titulos a ſe ſuiſque depelleret, niſi & jura decretaque omnia, quibus adhuc obſtringebatur Eccleſia* [Anglicana] *perfringeret; huc quoque animum adiecit, ut univerſam ſecum remp. in plenam adſereret libertatem. Quocirca tum ex ipſius, tum ex publico ſenatus decreto, delecti ſunt viri aliquot, uſu & doctrinâ præſtantes, numero* 32, *qui penitùs abolendo Pontificio juri (quod* Canonicum *vocamus) cum omni aliâ* Decretorum & Decretalium *facultate, novas ipſi leges, quæ controverſiarum & morum judicia regerent, Regis nomine & authoritate ſurrogarent.* And thus ſaith the King himſelf, in his Epiſtle to all *Arch-Biſhops, Barons* &c printed before the ſame Book; *Abundè vobis declaratum hactenus fuit, quantopere, in hac noſtrâ* Brittanniâ, *multis retro ſæculis Epiſcopi Romani vis injuſta religioni Chriſtianæ, veræ doctrinæ propagandæ adverſata eſt. Poteſtatem hanc huic cum divino mu-*

§. 79. *The Actings of* Hen. 8th *in Eccleſiaſtical Affairs. In the abrogating of former Eccleſiaſtical Laws, and compiling a new Body of them.*

nere ſublatam eſſe manifeſtum eſt: & ne quid ſupereſſet, quo non planè fractam illius vim eſſe conſtaret; leges omnes, decreta atque inſtituta, quæ ab authore Epiſcopo Romano *profecta ſunt, prorſus abroganda cenſuimus. Quorum loco en vobis authoritate noſtrâ editas leges damus, quas a vobis omnibus ſuſcipi, coli, & obſervari volumus, & ſub noſtræ indignationis pœnâ mandamus.* Thus the King. Where the meaning of the words, *decreta quæ ab authore Epiſcopo Romano profecta ſunt*, muſt be extended to Decrees, not only Pontifical, but Synodal, wherein the Pope preſided; for the *Canon-Law* is compiled of both theſe: and over both theſe did the Kings Supremacy claim Authority in his Dominions; and over whatſoever elſe ſeemed to him eſtabliſhed, not by Divine, but only by Humane Authority. See before §. 22. 23. 27: And alſo the things changed by him were not the Decrees of Popes, but of Councils.

§. 80. By vertue of ſuch a Supremacy he put forth certain Injunctions *A. D.* 1536. concerning matters of Faith, Intitled *Articles deviſed by the Kings Highneſs, to ſtable Chriſtian quietneſs and unity amongſt the People*; (you may read them ſet down at large in Mr. *Fuller*'s *Church Hiſtory* 5. l. p. 216, for Mr. *Fox* his Epitome of them conceals many things.) It is true that theſe Articles (as alſo the *Six Articles* publiſhed afterward 1539, and the *Neceſſary Doctrine* ſet forth 1543.) do, for the matter of them (as they ſeem to me) diſcede in nothing from the Doctrines of former Councils; nor have nothing in them favouring the reformed Opinions [*for they allow Invocation of Saints, Prayer for the Dead, and Purgatory; kneeling, and praying before, tho not to Images; the Corporal Preſence of Chriſt in the Sacrament; Auricular Confeſſion; and do not deny Seven Sacraments,* (as ſome miſrelate them) *becauſe they ſpeak only of Three; which Seven Sacraments are all acknowledged and treated on in* Neceſſary Doctrine, *&c.*] And it cannot be denyed, that the Clergy of King *Henry* alſo (whom he uſed, much more than his Succeſſors, King *Edward*, and Queen *Elizabeth*, in his Conſultations concerning Religion) were, except in

in the introducing of the Kings Supremacy, very oppoſite to the Reformation of other Doctrines or Ceremonies in the Church; as appears by the *Mala dogmata*, tranſcribed out of the Records by Mr. *Fuller* (5. l. p. 209.) to the Number of 67. (much agreeing with the Modern Tenents of *Puritans*, *Anabaptiſts* and *Quakers*;) which *Mala Dogmata* being by the Lower Houſe of Convocation at this time preſented to the Upper Houſe of Biſhops, to have them condemned, occaſioned the production of theſe Injunctions. But yet notwithſtanding all this, for the manner of the Edition of theſe Injunctions or Articles, it is to be noted; that the King by vertue of his Supremacy commands them to be accepted by his Subjects, not as appearing to him the Ordinances or Definitions of the Church, but as judged by him agreeable to the Laws and Ordinances of God: and makes the Clergy therein only his Counſellor and Adviſer; not a Law-giver. See beſides the Title, his words in the Preface to thoſe Injunctions: 'Which de-'termination, debatement and agreement of the Clergy '(ſaith he) foraſmuch as we think to have proceeded 'of a good, right, and true judgment, and to be agree-'able to the Laws and Ordinances of God &c; we have 'cauſed the ſame to be publiſhed, requiring you to ac-'cept, repute, and take them accordingly [i. e. *as agreeable to Gods Laws and Ordinances.*] So where in theſe Injunctions he commandeth the Obſervation of Holy-days, he ſaith, 'We muſt keep Holy-days unto God, 'in Memory of Him, and his Saints, upon ſuch days, 'as the Church hath ordained: except they be mitiga-'ted and moderated by the Aſſent and Commandment 'of us, the Supream Head, to the Ordinaries; and then 'the Subjects ought to obey it [*ſuch command*]

§. 31. *In putting forth a Model of the Doctrine of the Chriſtian Faith, and the Six Articles.*

By vertue of ſuch a Supremacy he afterward publiſhed a Model of the Doctrine of the Chriſtian Faith, and of the lawful Rites and Ceremonies of the ſame, for matter of Doctrine not much differing from the Injunctions mentioned before; which Book he Entitled, *A Neceſſary Doctrine for all ſorts of People*; adding a Preface

face thereto, in his Royal name, to all his faithful and loving Subjects, *That they might know (ſaith he) the better, in thoſe dangerous times, what to believe in point of Doctrine; and how to carry themſelves in points of Practice.* Which Book, before the publiſhing thereof, after it (ſaith Dr. *Heylin*, *Reform. Chur. Engl.* §. 4. p. 23.) was brought 'into as much Perfection, as the ſaid Arch-Biſhops, Bi-'ſhops and other Learned Men [*appointed by the King to* 'this work] would give it without the concurrence 'of the Royal Aſſent, was preſented once again to the 'Kings conſideration; who very carefully peruſed and 'altered many things with his own hand, as appears by 'the Book it ſelf extant in Sr. *R. Cotton*'s Library: and 'having ſo altered, and corrected it in ſome Paſſages, re-'turned it to the Arch-Biſhop of *Canterbury* [Arch-Bi-'ſhop *Cranmer*] who beſtowed ſome further pains upon 'it; that, being to come forth in the Kings Name, and 'by his Authority, there might be nothing in the ſame, 'that might be juſtly reprehended. For a Preparatory 'to which Book, that ſo it might come forth with the 'greater credit, the King cauſed an Act to paſs in Par-34, 35. Hen. 8. 1. c. 'liament, for the aboliſhing of all Books and Writings 'compriſing any matter of Chriſtian Religion contrary 'to that Doctrine, which ſince the Year 1540 is, or 'any time during the Kings life ſhall be, ſet forth by his 'Highneſs. Thus Dr. *Heylin*. Which Definitions, De-'crees, and Ordinances, ſo ſet forth by the King, all 'his Subjects were fully to believe, obey, and obſerve. '32. *Hen.* 8. 26. c. See before §. 32. And if any Spiri-'tual Perſon ſhould preach or teach contrary to thoſe 'Determinations, or any other that ſhould be ſo ſet 'forth by his Majeſty; ſuch Offender the third time 'contrary to that Act of Parliament was to be deemed 'and adjudged an Heretick, and to ſuffer pains of death 'by Burning. See before §. 34. By which Act there-fore, amongſt other things, the holding of the Pope's Supremacy, which is contrary to the Doctrine of that Book, is declared Hereſy. And ſee the like ordained by Parliament concerning the Six Articles in 31. *Hen.* 8. 14. c.

14. c. where it is Enacted, 'That every Perſon that 'doth preach, teach, declare, argue againſt any of the 'Six Articles, being thereof convicted, ſhall be deemed 'and adjudged an Heretick.

§. 82. And thus Hereſy, now belonging to the Kings Cognizance, as the Church's Supream Head, became alſo, by reaſon of the Parliaments co-legiſlative Power joyned with the Kings, a thing of the Parliaments Cognizance as well as the King's. *Of their Cognizance*; not only for the declaring and puniſhing, but the adjudging of it. And their Vote herein was joyned at leaſt with that of the Clergy, if not in Authority preferred before it; as appears by theſe, and thoſe other Paſſages in the Statute 25. *Hen.* 8. 14. c. mentioned before §. 34; and in the two *Proviſo's* of the Statute 1. *Eliz.* 1. c. mentioned §. 70. And ſee the Reaſon given by Dr. *Heylin*, why Parliaments, which in former Ages abſtained from them, in this Age of *Henry* the Eighth began to intermeddle in ſtating of matters of Religion (namely this reaſon, *A new Supream in Eccleſiaſtical Affairs then ſet up*) *Engl. Reform. Juſtified* p. 41. Where he firſt relateth, out of 'Walſingham, how (long ſince) *Wickleff*, having many 'Doctrines ſtrange and new, which he deſired to eſtabliſh 'in the Church of *England*, and ſeeing he could not au-'thorize them in a regular way, addreſſed his Petition 'to the Parliament; laying this down for a Poſition, *That the Parliament might lawfully examine and reform the Diſorders and Corruptions of the Church, and upon a diſcovery of the Errors and Corruptions of it, deveſt her of all Tithes and Temporal Endowments, till ſhe were reformed.* But neither his Petition, nor Poſition (ſaith he) found any welcome in that Parliament: [*and then he goeth on thus*;] 'To ſay truth; as long as the Clergy 'were in Power, and had Authority in Convocation 'to do what they would, in matters which concerned 'Religion; thoſe of the Parliament conceived it nei-'ther ſafe nor fitting, to intermeddle in ſuch buſineſs 'as concerned the Clergy; for fear of being queſtioned 'for it at the Church's Barr [*the Church being then conceived*

ceived to have the juſt Supremacy herein:] But when that 'Power was leſſened (tho it were not loſt) by the Sub-'miſſion of the Clergy to King *Henry* the Eighth, and 'by the Act of the [*Kings*] Supremacy [*in matters 'of Religion*] which enſued upon it; then did the Par-'liament begin to intrench upon the Church's Rights; 'to offer at, and entertain, ſuch buſineſſes, as formerly 'were held peculiar to the Clergy only; next to diſpute 'their Charters, and reverſe their Priviledges; and 'finally to impoſe many hard Laws upon them. Thus he. Which Example, of the Parliaments meddling with Opinions and ſtating of Hereſy, thus begun under *Henry* the Eighth's Church Supremacy, hath made ſome Parliaments ſince alſo ſo active (with the aſſiſtance of ſome Perſons, ſelected by them out of the Clergy, of the ſame Inclinations) in altering, modelling, eſtabliſhing, an Orthodox Religion: and hath emboldened Mr. *Prinn* (ſee *Heylin* p. 27.) 'to affirm it an ancient, genuine, juſt and 'lawful Prerogation thereof, to eſtabliſh true Religion 'in this Church [*by which eſtabliſhing if Mr.* Prin *means, not judging of Truth and Error in matter of Religion, but only requiring Obedience to the Judgment of the Church; this is willingly granted to be an eſtabliſhing, duly belonging to that Supream Court.*]

§. 83. Where concer. the complaints made by Proteſtants of his abuſe of the Supremacy.

I have dwelt the longer on the Inſtances forementioned, that you may ſee, when a Prince (together with his particular Clergy, or rather whom out of them he ſhall chooſe, without theſe being linked in a due ſubordination to the whole) claimeth ſuch a power of compoſing Models of Chriſtian Faith; and declaring all thoſe his Subjects Hereticks, who do not believe and obey ſuch his Determinations; what danger, what mutability Chriſtian Religion incurrs, in ſuch a Nation; as often as this Supreme and Independent Head is not every way Orthodox. And ſo it happened in the Acts of this new-ſprung Supremacy of *Henry*; that thoſe, who much pleaſed themſelves in it, whilſt it run the courſe they would have it, in abating the former Power of the Clergy, in throwing down Monaſteries, Religi-

ous

ous Vows, Relicks, Images, *&c*: yet afterward lamented it as much, when neceſſity of the Kings compliance with Forreign Princes, and the influence of new evil Counſellors (ſaith *Fox* p. 1036.) made the ſame Supremacy produce a contrary ſort of Fruit; which they could not ſo eaſily digeſt. I mean the *Six Articles*, here alſo pronouncing Hereſy to the Oppoſers, and puniſhing the ſame with Fire and Faggot: and the *Prohibition* and ſuppreſſion of many *Godly Books*, as Mr. *Fox* calls them; but full of Errors and Hereſies, as the Supream Head of this Church, and alſo as Arch-Biſhop *Cranmer* (whoſe Declaration againſt them ſee in *Fox* p. 1136.) then judged them (ſome of the Contents of which Godly Books, as they were then collected by *Cranmer*, and other Prelates, you may ſee in *Fox ibid.*); and the *Prohibiting* all Women, Artificers, Husbandmen, *&c*, from reading the Scriptures; of which more anon.

§. 34. Which Supremacy ſo ill uſed, as he thought, forced from Mr. *Fox* that ſad complaint, both, in particular, concerning the Kings impoſing of the *Six Articles* p. 1037. 'That, altho they contained manifeſt Errors, 'Hereſies, and Abſurdities againſt all Scripture and Learn-'ing [*whereby we may ſee; how theſe Supream Heads alſo may deviate from the truth; and how dangerous it is to commit the* Reformation *of all Errors and Hereſies into their hands, who by this Power, inſtead thereof, may enjoyn Errors, and Hereſies; and that even againſt all Scripture and Learning* (*as* Henry *the Eighth, tho a Scholar, is here ſuppoſed to have done;*) *and that even to pronouncing thoſe* Hereticks, *that do not ſubmit to ſuch Hereſy.*] (he goes on) 'Yet ſuch was the miſerable Adverſity of that time, and 'of the Power of Darkneſs [*yet King* Henry *ſaid the 'times were full of Light*] that the ſimple Cauſe of Truth 'was utterly forſaken of all friends. For every man 'ſeeing the Kings mind [*who was now the Legiſlator in 'Spirituals*] ſo fully addicted, upon politick reſpects, 'to have theſe Articles to paſs forward, few or none 'in that Parliament would appear; who either could 'perceive, that which was to be defended; or durſt

'defend, that they underſtood to be true. And alſo in *general* concerning that Kings managing his Supremacy, p. 1036. (from which Poſterity might have learnt ſome wiſdome) 'To many (ſaith he) who be yet alive, 'and can teſtify theſe things, it is not unknown; How 'variable, the State of Religion ſtood in theſe days; 'How hardly, and with what difficulty, it came forth; 'what chances and changes it ſuffered: even as the King 'was ruled, and gave ear, ſometimes to one, ſometimes 'to another; ſo, one while it went forward, at ano-'ther Seaſon as much backward again; and ſometime 'clean altered and changed for a Seaſon; according as 'they could prevail who were about the King. So long 'as Queen *Anne* lived, the Goſpel had indifferent Succeſs. [*Here* (then) *the Supream Head of the Church was directed by a Woman; and managed the Affairs of Religion accordingly.*] 'After that ſhe, by ſiniſter Inſtigation 'of ſome about the King, was made away, the courſe 'of the Goſpel began again to decline; but that the 'Lord ſtirred up the Lord *Cromwel* opportunely to help 'in that behalf; who did much avail for the increaſe 'of Gods true Religion [*Here then the Supream Head of the Church was directed by a Laick; and managed Religion accordingly.*] and much more had he brought to per-'fection; if the peſtilent Adverſaries, maligning the 'proſperous Glory of the Goſpel, had not ſupplanted 'his vertuous Proceedings [*Mr.* Fox *names not* Cranmer *amongſt theſe Worthies; becauſe he was an Agent in many of thoſe Proceedings of* Henry *the Eighth, which diſpleaſe Mr.* Fox.] 'After the taking away of which *Cromwel*, 'the State of Religion more and more decayed, during 'all the reſidue of the Reign of King *Henry*. And a-'mongſt theſe Adverſaries was *Stephen Gardiner*; who 'brought the King at length clean out of credit with 'the Reformed Religion *&c.* Thus *Fox* deſcribes the Steerers of the King in his Determinations concerning Church matters. And had Mr. *Fox* been of another perſwaſion; you would have found, in his Stile, the *Lord ſtirring up the zealous* Biſhop of *Wincheſter* Gardiner;

and *Satan raising* Cromwel *the Pestilent Adversary of True Religion.*

§. 85. And somewhat like to Mr. *Fox*'s is that Saying of Old *Latimer* to *Ridley*, p. 1562, to shew the miserable fluctuating of this Nation, after its having left the rest of the Body of the Church, and set up a new Head for its self, 'I refer you (saith he) to your own Experience, to 'think of our Country-Parliaments, and Convocations; 'how and what you have seen and heard. The more 'part in my time did bring forth *Six Articles*; for then 'the King would so have it, being seduced of certain. 'Afterward the more part did expel the same Articles; 'our good *Josias* [King *Edward*] willing to have it so. 'The same Articles now again (alas) [*when the Lay 'Supreme Head was removed*] another great (but worse) 'part hath restored. O what an Uncertainty is this! Now to proceed in our Story.

§. 86. *In the consecrating and confirming of Bishops and Metropolitans.* By vertue of such Supremacy King *Henry* took away the just Authority of the Patriarch established by Councils, for Confirmation of Metropolitans in this Church subject to his Patriarchy; and necessitated also his own Clergy, under the Penalty of incurring a Premunire, to consecrate, and invest into Bishoprieks and Arch-Bishopricks void, any Person whatever whom he should nominate and present. He also took away the Patriarchs Authority, for the receiving of Appeals, and exercising final Judicature in Spiritual Controversies; contrary to what is shewed in *Chur. Gov.* 1. Part: And also took away the *final* judging and decision of such Controversies, not only from the Patriarch in particular, but also from all the Clergy in general; not making the Arch-Bishop of *Canterbury*, or Convocation, but himself, or his Substitutes, the ultimate Judges thereof. See Statute 25. *Hen.* 8. 19. c. §. 31. contrary to the First and Second *Theses.* *See before* §. 29.

§. 87. *In the putting down of Monasteries &c.* By vertue of such a Supremacy, and Headship over this Church, he took Possession of all the Monasteries and Religious Houses of this Land (which were very numerous, small and great; and likewise of all Chaunteries,

Free-Chappels, Hoſpitals, Colledges (except thoſe of the Two Univerſities; which, upon their humble Addreſſes made to the King, were reprieved, *Herb.* Hiſt. *Hen.* 8. p. 537;) of their Lands and Goods: Places dedicated to Pious and Sacred uſes; and put into the hands of the Church, as by the gift of the Doners, ſo not without the conſent of the Prince. Their Buildings he cauſed to be defaced, their Churches demoliſhed. Their Lands he enjoyed himſelf, ſetting up a Court of *Augmentation* of the Revenues of the Crown; or ſold, or gave to particular Families of the Laity (*Cromwel* telling him, that, the more had intereſt in them, the more they would be irrevocable) to them and their Heirs, without any condition (advantageous to Religion, Learning, or Charity) ſave only one; *that Hoſpitality and Husbandry ſhould be preſerved by them*, which he cautioned, upon the Penalty of paying every Month 6. *l.* 13. *s.* 4. *d*; for which reaſon the King is ſaid to have paſſed them away at ſuch eaſy Rates. Lord *Herbert* p. 376. Which Forfeitures, upon the Hoſpitality and Husbandry neglected, being very great, were aboliſhed by King *James*, at the Supplication of the Parliament 21. *Jac.* 28. c. And all this he did without any benefit returned to Gods Service, or to the Church, in lieu thereof; ſave only that having poſſeſſed himſelf of 645 *Monaſteries*, 90 *Colledges* in ſeveral Shires, 110 *Hoſpitals*, 2374 *Chauntries* and *Free-Chappels*; the yearly value of all which is caſt up to have been 161100 *l.* (Beſides the Plate, Church-Ornaments and Treaſure given in Honor of ſome Saints; Beſides the Money made of Timber, Lead, Bells *&c*; Beſides the Stock alſo of Cattle and Corn, the Goods and Chattles of the 376 *ſmaller Monaſteries*; being valued at a low rate at 100000 *l.*) I ſay, having poſſeſſed himſelf of all this, he is ſaid to have returned to Pious Uſes ſome 8000 *l. per annum* (perhaps about a Thirtieth part of what he took away) in erecting ſome new Biſhopricks, of *Oxford*, *Peterborough*, *Cheſter*, *Briſtol*, and *Glouceſter*; and in changing of the former Monks of many of the Ancient Cathedral Churches

Herb p. 537

Churches into a Dean and Canons. (See for what is ſaid *Cambd. Brit.* and Lord *Herb.* p. 377. 443, 444.) Neither doth the Parliament, in giving their conſent to ſuch alienation, caution any further concerning Pious Uſes; ſave only, that the King *ſhould do and uſe therewith his own Will, to the pleaſure of Almighty God, and to the honor and profit of the Realm.* See Statute 27. *Hen.* 8. 28. He freed and diſmiſſed the Religious therein from obſerving thoſe Rules of Poverty and Obedience in a Monaſtick Life, which they had before ſolemnly vowed: I ſuppoſe by vertue of that diſpenſative Power; which he finding annexed to the Pope's, conceived that he inherited by his, Supremacy. See *Fox* p. 1235. where 'tis ſaid, *That the Perſons therein bound and profeſſed to Obedience to a perſon, place, habit,* &c, *upon the diſſolution appointed by the Kings Majeſty's Authority, as Supream Head of the Church, are clearly releaſed* &c. All which things are done by him contrary to the Definitions and Canons of the Church in former Councils, concerning their *Interpretation of Sacriledge*, and concerning the *unlawful alienation of things*, and *non-violation of perſons, once dedicated* and conſecrated *to God*: And all which things were done by him without any Conceſſion or Approbation (that I can find) even of the particular Clergy of this Nation; and with the *great grief of the People*, ſaith Lord *Herb.* p. 377. (thoſe who got nothing by this Plunder) *to ſee the Monks and Nuns wandring abroad; and the Churches and Chappels perverted to ſecular and profane Uſes.*

For theſe things ſee the Relation of zealous Mr. *Fox*, §. 83.
p. 976. 'Shortly after the overthrow of the Pope (ſaith 'he) conſequently began by litle and litle to follow the 'ruine of Abbies and other Religious Houſes in *England*, 'in a right Order and Method, by Gods Divine Provi- 'dence. For neither could the fall of Monaſteries have fol- 'lowed after, unleſs that the Suppreſſion of the Pope had 'gone before; neither could any true Reformation of the 'Church have been attempted, unleſs the Subverſion 'of theſe Superſtitious Houſes had been joyned there- 'with.

'with. Whereupon the ſame Year the King, having *Tho.* '*Cromwel* of his Council, ſent Dr. *Lee* to viſit the Abbies, 'Priories, and Nunneries in all *England*; and to ſet at 'liberty all ſuch Religious Perſons, as deſired to be free; 'and all other that were under the Age of 24 Years: 'providing withal, that ſuch Monks, Canons, and Fryars, 'as were diſmiſſed, ſhould have given them by the Abbot 'or Prior, inſtead of their habit, a Secular Prieſts 'Gown, and Forty Shillings of Money; and likewiſe 'the Nunns to have ſuch Apparel, as Secular Women 'did then commonly uſe; and be ſuffered to go where 'they would. [*Cromwel* ſaying, Lord *Herb.* pag. 462. *That this Expulſion of the Monks* &c *was no more than a reſtoring them to their firſt Inſtitution of being Lay and labouring Perſons; and that they might keep the auſterity of life, in their ſeveral Orders, enjoyned them, in any condition.*] 'At which time alſo from the ſaid Abbies, and 'Monaſteries were taken their chief Jewels and Relicks. And ſee the words of the Statute 31. *Hen.* 8. 13. c, where 'all and ſingular Religious Perſons, of what Order, Rule 'or Habit ſoever, are ſaid to be put at their liberties 'from the danger, ſervitude and condition of their Re-'ligion and Profeſſion, whereunto they were profeſſed: 'and have free liberty given them to purchaſe to them 'and their Heirs in Fee-Simple, Fee-Taile *&c*, Mannors, 'Lands, *&c.* in like manner, as tho they or any of 'them had never been profeſſed, nor entred into any 'ſuch Religion. And for the ground of all this, *viz.* The Kings conceived lawful Church Supremacy to act ſuch things, ſee ſome of the Forms of the Monks Reſignations tranſcribed by Mr. *Fuller Chur. Hiſt.* 6. l. p. 321. which runs thus. *Whereas your Highneſs being* Supream Head, *immediately after Chriſt, of his Church in this your Realm of* England, *and ſo conſequently general, and only,* Reformator *of all Religious Perſons there, have full Authority to correct or diſſolve, at your Grace's Pleaſure and Liberty, all* Convents and Religious Companies *abuſing the Rules of their Profeſſion* &c *therefore* &c.

Now

Now the whole carriage and pretence of the diſſolution of theſe Religious Places, if you deſire to know the Particulars, was this. The King tho having left to him a very great Treaſure by his Father *Henry* the Seventh, yet by his high Expences, and frequent Engagements in Forreign Wars and the Intereſts of Neighbor Princes, became very neceſſitous; and for the continuance of the like Expences ſtood in need of an extraordinary recruit. Whereupon, as ſome think, he was firſt invited to this Act, by thoſe 40 ſmaller Monaſteries, which he ſaw *Wolſey* (who likewiſe had much uſed in this Affair his diligent Servant *Cromwel*) had obtained by grant from the Pope, *Clement* the Seventh, to tranſlate this Means of ſome of thoſe Houſes of Devotion, which in this Nation abounded, to the maintenance of two Colledges built by him for the advancement of Learning; of which Houſes there was more ſcarcity. And he is ſaid to have been excited alſo thereto by *Cromwel*, who was now, after *Wolſey*'s fall, the Kings Servant; one already experienced in this matter; and who could beſt inform concerning the Treaſure attainable thereby: eſpecially when the King, being now inveſted with the Supremacy, could confer on himſelf the ſame Diſpenſation, for taking more; which the Pope had done on *Wolſey*, for a few. The King knew alſo, that he had the Laity and the Parliament ready to ſecond him; who were willing by any means to remove the burthen of furniſhing the Kings neceſſities from themſelves, and to give up the Church's Patrimony to ſave their own: and beſides, who in thoſe days looked, with no good Eye, on the Authority of the Clergy (againſt whom the Commons had formerly put up a Supplication to the King) and the Wealth of the Monaſticks; and who alſo might expect no ſmall ſhare in this Booty. And ſome reaſon he had alſo to hope for the connivance of the Clergy, from the ancient difference, that is between *Regulars* and *Seculars*; and from theſe Religious Houſes being exempted from the Juriſdiction and Viſitation of Biſhops; and from the acceſs of Benefit, which they might

§. 89. *The Pretences thereof.*

Lord Herb. *p.* 329. F. x. *p.* 960.

might hope from the others ruine, to ſome places of cure, that were meanly provided for. Add to this; that the number of them in this Nation was conceived to be exceſſive, in proportion to a well compoſed State, (ſo the multiplying of them accidentally being their deſtruction): and Laſtly; that theſe Religious Houſes were looked on as the chief Supporters of the Papal Supremacy, and Oppoſers of the Regal Authority in matters Eccleſiaſtical: and in Innovations in Religion, their Vow of Obedience to their Superiors leaving them leſs flexible to change, and their Vow of Poverty and Single Life leſs obnoxious to thoſe fears in declaring of their minds; which others are ſubject to, in reſpect of their Eſtates and Poſterity, or their expectation of Preferments.

§. 90. Swayed by theſe Motives yet the King invaded not all the Religious Houſes in the Land at once; but firſt began to take Poſſeſſion of the ſmaller Ones, ſuch as were under 200*l.* annual Revenue; and this upon theſe Three
1. Pretences (ſee Statute 27. *Hen.* 8. 28. c.) 1. 'That 'the Perſons living therein were very vicious; whereas (ſaith that Statute made for the alienation of theſe, before the Attachment of the reſt thought on) *in the great Solemn Monaſteries of the Realm, Thanks be to God,*
2. *Religion is right well kept and obſerved.* 2. 'That theſe 'ſmall Societies were not ſo capable of Reformation, as the
3. 'greater. 3. That the greater were not ſufficiently re-'pleniſhed. Whereupon (ſaith that Statute) the Lords 'and Commons by a great deliberation finally be reſolv-'ed; That it is and ſhall be much more to the Pleaſure 'of Almighty God, and for the Honor of this Realm, 'that the Poſſeſſions of thoſe ſmall Religious Houſes, 'not being ſpent, ſpoiled and waſted for the increaſe of 'maintenance of Sin, ſhould be uſed and converted to 'better uſes; and the unthrifty Religious Perſons ſo 'ſpending the ſame ſhould be compelled to reform their 'lives.

§. 91. But afterward, the Revenue of theſe by the King ſold, ſpent, or diſpoſed-of, the ſweetneſs of ſuch a conſider-

ſiderable wealth already taſted, the Kings great Expences very craving, and his Courtiers and Favourites not yet ſatisfied; from ſmaller beginnings he aſcends higher; and the great Monaſteries alſo begin now to be looked after. And now within three or four years they of the great Monaſteries are ſo overgrown with vice, that were ſo right before; that complaints are made of them: and Viſitors, *Cromwel* being made Viſitor-*General*, are ſent, both to diſcover their crimes, and to reſtrain, by certain Injunctions from the King, their former liberty. Amongſt whom many hainous faults (eſpecially as for Incontinency) are found out: whilſt the more notorious Offenders, ſomewhat to excuſe themſelves, impeached others; and the Religious mutually recriminated one another. Upon theſe Delinquencies now diſcovered in the great Houſes, as before in the leſſer; together with many impoſtures and falſifications of Miracles, to procure greater reſort and gain to ſuch Houſes; Next, the more dignified and powerful amongſt the Religious are acquainted, what Penalties they have incurred, and have ſeen already inflicted on others; and that the King, as Supream Head of this Church, might alſo depoſe their Societies, alienate and diſpoſe of their Eſtates, as he ſaw fit, to thoſe who would ſerve God better; but that they might one way ſooner obtain, both ſecurity and pardon for their paſt faults, and proviſion for their future livelihoods; if they would rather preventively reſign their Foundations and Poſſeſſions into the King's hands, then ſtay to have them by his juſt power taken from them: eſpecially, ſince the King on ſuch condition would either to the preſent Incumbents give other Preferments; or allow conſiderable Penſions, equalling their former Income, to the unpreferred, for their lives. And thus; many, if not all, of theſe greater Foundations having ſeen already the leſſer ſeized on; ſome perſons having fair hopes of being well provided for, others of Impunity, others alſo deſiring more liberty, and weary of the fetters of a Cloiſtered life, eſpecially as reſtrained by the new Regal Injunctions,

give-up and make-over their Monaſteries, and all the Eſtate belonging thereto, under their Hands and Seals, to the King and his Heirs for ever. And the King again returns yearly a vaſt ſumme of Money in Penſions beſtowed on the more Eminent of the Monaſticks for term of life. A many of which Penſions you may ſee ſet down in Mr. *Fuller* 6. l. p. 304. *&c*; who alſo *ibid.* p. 316. makes this Relation how the Monks were tempted with them; 'It was alſo preſſed upon the Monks, Fryars, 'and Nuns; that they thro their vitiouſneſs being ob-'noxious to the King's anger, this [i. e. *the taking away* '*of their Eſtates*] might and would be done without 'their conſent: So that it was better for them, *rebus* '*ſic ſtantibus*, to make a Vertue of Neceſſity; the rather, 'becauſe this Compliment conduced nothing to the Kings 'Right, on whom the Parliament had already beſtowed 'thoſe Abbey-Lands; but might add much to their 'own advantage, as being the way, whereby their Pen-'ſions might be the more eaſily procured, largely alotted, 'and ſurely paid unto them. Thus He. And thus the Lord *Herb.* p. 442. to the ſame purpoſe, '*Cromwel*, 'betwixt Threats, Gifts, Perſwaſions, Promiſes, and 'whatſoever might make men obnoxious, obtained of 'the Abbots, Priors, Abbeſſes *&c*, that their Houſes 'might be given up. Among which thoſe, that offered 'their Monaſteries freely, got beſt Conditions of the 'King: for if they ſtood upon their right, the Oath of 'Supremacy, and ſome other Statutes and Injunctions, 'brought them in danger; or their Crimes at leaſt made 'them guilty of the Law; which alſo was quickly 'executed, and particularly on the Abbots of *Glaſſenbury*, '*Colcheſter*, and *Reading*; who more than any elſe re-'ſiſted.

6. 92. When theſe Lands alſo were diſperſed and diſpoſed-of, and this great Income ſpent, the King's Neceſſities being no leſs urgent upon him, than formerly, nay more (he having lately engaged a War with *France* and *Scotland*) the gleanings as it were of this Harveſt, which before lay unregarded, are now looked after; and all the

the Chaunteries, Free-Chappels, Colledges (except the Univerſities) Fraternities &c (Dedicated alſo to ſuch pious uſes, as neither the King nor Parliament of that time diſallowed, *viz.* offering the Holy Eucharift, diſtributing Alms, and ſaying Prayers for the faithful deceaſed, as likewiſe the advancing of Learning, ſuſtenance of the Poor &c,) are thrown into the King's Lap, upon pretence of abuſes found in theſe too. For which ſee Statute 37. *Hen.* 8. 4. c. where the reaſon of giving them away to the King and fruſtrating the uſes for which they were founded is; *leſt the Prieſts or Governors, that enjoyed them, ſhould ſell them away and fruſtrate the ſame uſes*; (as ſome had done already, probably for prevention of the Storm they ſaw coming upon theſe after the Monaſteries:) as if ſuch faults of the Incumbents were capable of no other cure; nor theſe Lands preſervable by Law to the Founders intentions.

§. 93. *Reflections upon theſe Pretences.* 1.

Now to reflect a little on theſe Acts of King *Henry* ſo odious to the memory of poſterity; in them he ſeems many ways void of excuſe. For 1. *Firſt*; For the King's Neceſſities, many of them ſeem to be faultily contracted, by (to ſay no worſe) needleſs expence; and becauſe 'this high-ſpirited and valiant Prince would needs engage himſelf (as Lord *Herb.* p. 511. judiciouſly obſerves) beyond what was requiſite; and would be an 'Actor for the moſt part, where he needed only to have 'been a Spectator. And methinks theſe things do not ſute well together; to pull down Religious Houſes for meer neceſſity; and in ſuch Expeditions to croſs the Seas in a Ship trimmed with Sails of Cloth of Gold.

Herbert. p. 513.

§. 94. 1. 1.

Secondly, For the Precedent of Cardinal *Wolſey*; There was nothing done in it, but what was juſtifiable by the Eccleſiaſtical Canons: it being lawful in ſome Caſes, and on ſome Conditions, for the Supreme Governors amongſt Church-men to alienate, or rather to tranſfer from one pious uſe to another, thoſe things which are given to them; or, being given to God, are in his right poſſeſſed by them, as his Miniſters. But hence will it not follow; that any Lay, tho the Sovereign,

Power, who is not the Receiver or Poſſeſſor of ſuch a Gift, but rather the Doner (for without the King's Conſent the Church receives no ſuch Gifts) can afterward reſume from God and the Church the diſpoſal of it. Here I may ſay as St. *Peter Acts* 5. 4. Before it was ſo beſtowed by him, *was it not his own*? But once ſo paſſed away, and his *Mort-main* allowed to it; it cannot then be recalled, upon any Secular Title. But

2. Secondly, Suppoſe the King Heir to all that Supremacy, which in theſe matters the Pope or other Eccleſiaſtical Perſons have formerly exerciſed; yet this Power will not extend to that which the King aſſumed. For the Pope pretends to no ſuch Power, as to alienate the Church Revenues, for to ſpend them himſelf; or to diſpoſe of them in what manner, or to what Perſons, he pleaſeth; but only for ſome juſt cauſe, *i. e.* in a prudential arbitration, for an equal or greater Benefit thence accrewing to the Church, or Chriſtianity. Which alſo was obſerved in his conceſſion of thoſe to Cardinal *Wolſey*, in a time when *Religious* abounded, more than *Schollars*; and by that Conceſſion the Church ſtill enjoys them. But whither *Henry* the Eighth's Abbey-lands went, and what uſes they have ſerved, we all know; and this ſome think, to the enriching of few, but ruine of many, Noble Families in this Nation. See Dr. *Heylin*'s *Hiſt. of Reform. of Qu. Mary* p. 45. and p. 67, 68.

§. 95. 3. *Thirdly*, Neither were the Vices of thoſe Religious a ſufficient ground of overthrowing their Societies and Foundations; becauſe the King might have puniſhed, ejected, changed, the Perſons, without taking away the Houſes or Maintenance (as is frequently done in all Societies; and, particularly, in Religious Houſes abroad) unleſs we will ſay, that the Engliſh only are in ſuch faults incurable. Neither can it be pleaded, That ſuch Lands are given to pious uſes with ſuch a tacit condition, That, when abuſed, they may be recalled; ſo long as theſe abuſes are ſome other way remediable: for elſe, what thing is there dedicated to Gods Service; which ſome Poſſeſſors do not, at ſome time, abuſe? But if it be ſaid, that

that the abuſe and fault lies chiefly in the very Inſtitution and Laws themſelves of ſuch Foundations: Yet are theſe Laws alſo capable of being rectified and reformed, ſo as God may be holily ſerved in ſuch a Monaſtick life; as the Proteſtants themſelves ſay he was, in the Primitive times. But, if the Monaſtick Laws here were ſo corrupt; how come the very ſame Laws abroad not to produce the ſame fruit, in Nations ſaid to be more inclined to ſuch Vices? How come thoſe Houſes there, to this day to be not only tolerated, but reverenced? Or how happened, under the ſame Laws here, but three or four Years before, in the great Monaſteries, *Religion, Thanks be to God, to be right well kept and obſerved*? Stat. 27. *Hen.* 8. 28. c. But ſuppoſe the King had queſtioned the lawfulneſs of theſe Inſtitutions; yet was he no competent Judge thereof; it being a Theological Controverſy, and decided on the other ſide by the lawful Judge thereof in ſeveral Superior Councils, as is ſhewed in *Diſcourſe* of *Celibacy*. But indeed that which leaves the King the more deſtitute of any Apology in this kind is; that, whereas the chief fault charged upon theſe cloiſtered People was Incontinency, the King, whilſt he took away theſe Orders, did juſtify this Vow, at leaſt of *perpetual Chaſtity*, to be a Vow lawful, and by every one obſervable; as you may ſee in the fourth of the ſix Famous *Articles*: and ſtill did prohibit all ſuch Perſons, as had taken this Vow, when in Monaſteries, from marrying afterward, when they were ejected; condemning the Tranſgreſſors hereof to ſuffer death. The Words of that fourth *Article* are theſe, 'That the 'Vows of Chaſtity or Widow-hood by man or woman 'made to God adviſedly [i. e. *as I ſuppoſe, deliberately*; '*or, if you will, with the approbation of our Spiritual Father*] 'ought to be obſerved by the Law of God; and that 'it exempteth them from other liberties of Chriſtian 'People, which without that [*Vow*] they might en-'joy. The Penalty of which Article was, That if any, 'after a Vow adviſedly made, did marry; in ſo doing 'he ſhould be adjudged as a *Felon*; and loſe both Life,

'and

'and forfeit Goods without any *benefit of Clergy*. See *Fox* p. 1037. Now if any can make this Vow [*adviſedly*] I ſee not how we can ſay, that the Monks do not ſo; unleſs you will ſay, That any Breach of a Vow argues it not to have been formerly made with advice; but then, why are theſe Religious expreſly reſtrained afterward from Marrying? Stat. 31. *Hen.* 8. 6. c. where alſo [*adviſedly*] ſeems to be interpreted the vowing after One and Twenty Years old, uncompelled.

As for the *falſification of Miracles*; to diſcover and publiſh the Cheat, is ſufficient to cure the preſent Fault, and to prevent the like: and when the Images were taken away, the Houſes needed not to be pulled down.

§. 96. And as unexcuſable ſeems the King to be, in taking away Chaunteries *&c*, given for the relief of the faithful, deceaſed with ſome Imperfections, by the Sacrifice of the Euchariſt, and annual Alms, and Prayers offered to God for them; whilſt he allowed a benefit in theſe things; and himſelf left the like Penſions; and ordered, that the ſame things, of which he had deprived others deceaſed, ſhould be done for himſelf, when deceaſed; as you may ſee at large in his Will tranſcribed by Mr. *Fuller*. And therefore, whereas *Edward* the Sixth had theſe things given him again by Parliament (becauſe *Henry* the Eighth dyed not long after the Donation) upon this reaſon; becauſe the *Opinions of Purgatory, and Maſſes ſatisfactory to be done for them that be departed, were vain and ſuperſtitious*: Stat. 1. *Edw.* 6. 14. c. Yet ſo it was, that other cauſes and other grievances, than theſe, were glad to be invented, to make way for King *Henry* to lay hands on them. Stat. 37. *Hen.* 8. 4. c.

§. 97. 4. *Fourthly*, If it be ſaid, that the Religious themſelves voluntarily reſigned theſe Poſſeſſions into the King's hands (See Stat. 31. *Hen.* 8. 13. c.) Yet was this Act of their's (ſuppoſed never ſo free from Compulſion) invalid: becauſe they could not give away for ever, what they had Title to only for term of Life; neither yet could they alienate them for their lives from that uſe, to which they were dedicated; without committing Sacriledge.

Fifthly,

Fifthly, Laſtly, That which is ſaid, of an *exceſſive number* of them in this Nation, if it be a juſt Apology for taking away ſome, the Supernumerary; yet will it be none, for taking away all the reſt. And that which follows, concerning their *averſeneſs to the King's Reformations*, is granted; and ſhews indeed, that the demoliſhing of them was to good purpoſe for attaining the Kings ends; but it ſhews not, that the demoliſhing therefore of them is lawful; unleſs, firſt, ſuch ends be juſtifiable; and ſecondly, cannot otherwiſe be compaſſed. And thus much of the Kings deſtroying Monaſteries. §. 98. 5.

By vertue of ſuch a Supremacy, by which he was conceived to have Power to diſpenſe with any, if only humane, tho Eccleſiaſtical, Conſtitution (See Stat. 25. *Hen.* 8. 21. recited before §. 27.) He made Orders, and gave *Diſpenſations* in matters of Marriage; againſt the former Eccleſiaſtical Canons. See Stat. 32. *Hen.* 8. 38. c. where it is ſaid, 'By this Act we [i. e. *the King and 'Parliament*] do declare all perſons to be lawful, that 'be not prohibited by Gods Law, to marry. Of which 'Licence (ſaith *Fuller Chur. Hiſt.* 5. l. p. 236.) the King 'himſelf had the firſt fruits, in marrying *Katherine Howard*, 'Coſen-German to *Anne Bullen* his ſecond Wife. [And you may find, in the Preface of the ſame Act, this urged alſo as a motive of caſting off the Pope's uſurped Power in ſuch matters, 'That King *Henry* was otherwiſe by 'Learning, taught, than his Predeceſſors in times paſt 'long time have been. For King *Henry* was deſigned 'by his Father for a Church-man: and during the life 'of his Elder Brother, was educated in Learning, and 'not unſtudied in School Divinity. Lord *Herbert*'s *Hiſt.* 'p. 2. Therefore in the firſt Articles of Religion, which 'he put forth 1536, which were deviſed by the King 'himſelf, and ſo recommended to the Convocation 'houſe by *Cromwel* (part of which Houſe, ſaith Lord '*Herb.* p. 405, leaned to the Lutheran Doctrine and 'Rites) he took pains to peruſe and moderate their Ar-'guments on either ſide, adding Animadverſions with 'his own hand, as may be ſeen in the Records. And §. 99. *In the diſpenſing with the former Church Canons concerning Marriages, Faſts Holy-days &c.*

'in

'in the ſecond Articles of Religion, called a *Neceſſary* '*Doctrine for all ſorts of People*, publiſhed 1543. he care-'fully peruſed them (ſaith Dr. *Heylin* p. 23.) and al-'tered many things with his own hand, as appears by 'the Book ſtill extant in Sr. *R. Cotton*'s Library. And in the Anſwer, which he writ himſelf to the *York-ſhire* Rebels offended with the State of Religion, he hath this Clauſe; *That he marvelled much, that ignorant People would go about to take upon them to inſtruct him (who had been noted ſomething Learned) what the Faith ſhould be.* Without which conſciouſneſs and eſteem of his own Learning and Abilities, it is probable he would have been a more Her. *p.*417. dutiful Son of the Church; and never have owned ſuch a Supremacy in ſtating Theological Controverſies, with ſuch ſevere puniſhments to all that thwarted his Doctrines: Whereby he ſeemed to act the Part, tho he aſſumed not the Title of the Arch-Biſhop of *Canterbury*; to which place his Father is ſaid to have deſigned him.] By vertue of the ſame Supremacy he made Orders, and gave Diſpenſations in matters of Faſts; of Holy-days; of Election and Conſecration of Biſhops; as you may ſee in *Fox*, in the King's Injunctions and Proclamations p 960. 999. 1104. and before in §. 36. and §. 68.

§. 100. By vertue of ſuch a Supremacy, concerning ſeveral other Ceremonies, as he calls them, the King ſpeaketh Fox *p.*1035. in this wiſe, in his Injunctions put forth 1539. 'Com-'manding that the Holy Bread and Holy Water, Pro-'ceſſion, kneeling, and creeping on *Good-Fryday* to the 'Croſs, and *Eaſter-day* ſetting up Lights to the *Corpus* '*Chriſti*, bearing of Candles on *Candlemas-day*, Purifi-'cation of Women delivered of Child, offering of Chry-'ſomes, keeping of the four Offering-days; paying their 'Tithes; and ſuch like Ceremonies be obſerved and 'kept; till it ſhall pleaſe the King to change or abro-'gate any of them. [*Where note, that as Colledges* (ſee before §. 87.) *ſo here Tithes alſo are conceived to be in the diſpoſal of this Supream Head of the Engliſh Church.*]

§. 101. 1. By vertue of ſuch Supremacy he, without any conſent of the Clergy, by his Vice-gerent *Cromwel*, firſt, order-

ordered; 'That Engliſh Bibles ſhould be provided and 'put in every Church; and that the Parſon of the Pariſh '(ſay the Injunctions 1536. and 1538. ſet forth by *Crom-'wel*) ſhall diſcourage no man from the reading or hear-'ing of the ſaid Bible; but ſhall expreſly provoke, ſtir 'and exhort every Perſon to read the ſame, admoniſh-'ing them nevertheleſs to avoid all contention and al-'tercation therein, and to uſe an honeſt ſobriety in the 'inquiſition of the true ſenſe of the ſame; and to refer 'the explication of the obſcure places to men of higher 'judgment in Scripture. Which Publication of the Scriptures, in the beginning of his receſſion from *Rome*, perhaps he was the more inclined to; for two things, wherein he pleaded much their evidence in his juſtification, The one; *That it was unlawful for him to have his Brothers Wife.* The other; *That the Pope could not, by them, claim any Juriſdiction over* England: He juſtly therefore relinquiſhing the one, becauſe it was there prohibited; and diſacknowledging the other, becauſe not there commanded. Alſo in this Tranſlation (as thoſe words 1. *Pet.* 2. 13. were then, and till the end of King *Edward*'s days, rendred ἐπιβασιλεῖ, ὡς ὑπερέχοντι, *ſubmit your ſelves unto the King.*) He was declared the *chief Head of the Church of England.* But theſe words were changed afterward, when Queen *Elizabeth* had refuſed ſuch Title, into King *as having the Preheminence*, and King *as Supreme.* But upon what ground ſoever it was, that he made the Holy Scriptures common to the *Vulgar* for a time; afterward, when by three or four Years experience he had ſeen, that ſo many Diviſions came thereby; the *unlearned and unſtable*, now, as in St. *Peter*'s time, 2. *Pet* 3. 16. *wreſting* theſe *holy writings*, *hard* in ſome things *to be underſtood*, *to their own deſtruction* (when the People had now ceaſed to depend on the authoritative Expoſition of their Spiritual Superiors; eſpecially when they had alſo ſeen the King and his Vicar *Cromwel*, Lay-men, to judge of the Judgments of the Clergy, and to reform their former Errors;) after this experience, I ſay, by Authority of

See Fox p. 1000.

the ſame Supremacy. 2. He commands again the Scriptures to be ſhut up and withdrawn from them, prohibiting, upon the Penalty of a Months Impriſonment *toties quoties*, that any Woman, Husbandman, Artificer, Yeoman, Serving-man, Apprentice, or Journy-man, Labourer *&c*, ſhould read them to themſelves, or to others, privately, or openly; See Stat. 34, 35. *Hen.* 8. 1. c. 'Becauſe, ſaith the Preface of that Statute, his High-'neſs perceived, that a great multitude of his Subjects, 'moſt eſpecially of the lower ſort, had ſo abuſed the 'Scriptures, that they had thereby grown and increaſed 'in divers naughty and erroneous Opinions, and, by 'occaſion thereof, fallen into great diviſions and diſſen-'ſions among themſelves. And if you ſay, that the Opinions, the King calls here *erroneous*, were the Proteſtant Doctrines, diſcovered by the vulgar from the new light of the Scriptures; Firſt you may ſee the very Opinions, as the Biſhops collected them, in *Fox* p. 1136. *&c* unownable by any ſober Chriſtian. Secondly, We, who have had ſad experience what monſtrous opinions the vulgar, by wreſting thoſe ſacred Writings, have taken up in our days, may rationally allow the ſame incident to former times. Of the ſame thing I find that King much complaining, in his Preface alſo to *Neceſſary Doctrine*, in this manner. 'Like as in the time of dark-'neſs and ignorance [*ſo he calls the ages of the Church 'preceding his own*] finding our People ſeduced from the 'Truth by Hypocriſy and Superſtition, we by the help 'of God and his Word have travelled to purge and 'cleanſe our Realm from the Enormities of the ſame; 'wherein, by opening Gods Truth with publiſhing of 'the Scriptures, our labours have not been void and 'fruſtrate: So now we perceive, that in the time of 'knowledge [*ſo he calls his own times*] the Devil hath 'attempted to return again, into the Houſe purged and 'cleanſed, accompanied with ſeven worſe Spirits; and 'Hypocriſy and Superſtition being excluded, we find 'entered into ſome of our Peoples hearts an inclina-'tion to ſiniſter underſtanding of Scripture, preſump-

'tion,

'tion, arrogancy, carnal liberty and contention; we 'be therefore conſtrained *&c.* *And afterward,* It muſt 'be agreed (ſaith he) that, for the inſtruction of thoſe 'whoſe Office it is to teach, the reading and ſtudying 'of Holy Scripture is neceſſary; but, for the other 'part ordained to be taught, it ought to be deemed cer-'tainly, that the reading of the Scripture is not ſo ne-'ceſſary for thoſe Folks, that of duty they be bound to 'read it; but, as the Prince and Policy of the Realm 'ſhall think convenient, ſo to be tolerated, or taken 'from it. Conſonant whereunto, the politick Law of 'our Realm hath now reſtrained it, *&c.* [*Where note that he puts the juſt power of this toleration or reſtraint in the States, not in the Church-men's, Power.*] See the like complaint made by him in his laſt Speech in Parliament, 1545, Lord *Herb.* p. 536. 'I am very ſorry to know 'and hear, how irreverently that moſt precious Jewel 'the Word of God is diſputed and jangled in every 'Ale-houſe and Tavern, contrary to the true mean-'ing and doctrine of the ſame. I am ſure that vertuous 'and godly living was never leſs uſed, nor God never 'leſs reverenced or honoured. *Thus King* Henry. And this, to ſhew you, how and when this vulgar Theology firſt began; and how much then, ſo early, it was re-ſented by the Magiſtrate.

By vertue of ſuch a Supremacy theſe things that King did; ſome of them againſt the Canons not of Popes, but of the Church Catholick, and of Superior Councils: and as ſome of them with, (for he uſed the conſent of his Convocation more than his Succeſſor) ſo others of them without, the conſent of his Clergy; 'whom (ſaith 'Lord *Herb.* p. 439.) he every day more and more 'deveſted of their former Authority. And, for the beginnings of his Reformation, Arch-Biſhop *Parker* in his *Antiquit. Brittan.* p. 325. ſaith, that *Cromwellus, cum* Cranmero *Archiepiſcopo, tanquam in puppi ſedit, clavumque Eccleſiæ* Anglicanæ *tenuit. Nam* Prælatorum *fides eo magis dubia & incerta Regi viſa eſt; quod longâ morâ & difficultate tanquam tædio abducti ſint a Papa; ſibique* Supremi §. 102.

premi Capitis *titulum detuliſſent.* But whether theſe things done with or without his Clergy; yet the ſtile of his Injunctions ſufficiently ſheweth, in what perſon the legiſlative power in Spiritual matters was then conceived to reſide: theſe Injunctions running authoritatively, and for the ſubmiſſion of all mens judgments to them; either in his own name ſingle, as the Church's Supreme Head; or in the name of his Vicegerent in Eccleſiaſtical Affairs, *Cromwel* (who therefore is ordered 31. *Hen.* 8. 10. c. in regard of this Office (and all thoſe who ſhould ſucceed him therein) to ſit in the Parliament-houſe above the Arch-Biſhop of *Canterbury*;) or in the name of the King and Parliament. The uſual Phraſe of the King and Parliament in ſuch Decrees you have ſeen in former inſtances; where they do not ground theſe Decrees any further on the Authority of the Clergy, ſave only on their recognizing of the Kings Supremacy; upon which Supremacy all the reſt are Super-ſtructions.

§. 103. Now hear the Stile of his Vicegerent *Cromwel*, (upon whom, a Secular Perſon too and unlearned, that the King ſhould derive his whole Eccleſiaſtical Juriſdiction and Authority, you may read, in Lord *Herb. Hiſt.* p. 402, what a wonderment it cauſed amongſt many, as 'a thing in no other time or perſon to be parallelled; 'neither in the much pleaded Patterns of the Kings of '*Iſrael*, nor in the former practice of Popes.) This Vicegerent thus prefaceth to the *Injunctions* that were publiſhed 1536. 'I *Tho. Cromwel &c* Vicegerent to our 'Sovereign Lord the King for and concerning all his 'Juriſdiction Eccleſiaſtical within this Realm, to the 'Glory of Almighty God, to the Kings Highneſs's Ho'nor, the publick Weale of this Realm, and increaſe 'of Vertue in the ſame, have appointed and aſſigned 'theſe Injunctions enſuing to be kept and obſerved of 'the Dean, Parſons, Vicars *&c*, under the pains here'after limited and appointed. And the like Expreſſions much what are obſerved in the *Injunctions* ſet forth in Fox p. 1000 1538, 'By the Authority and Commiſſion of the moſt 'excellent Prince *Henry*, in Earth Supreme Head under Chriſt

'Chriſt of the Church of *England*, I *Tho. Cromwel* Vice-'gerent *&c*, do, for the diſcharge of the King's Majeſty, 'give and exhibit theſe Injunctions following to be kept 'and fulfilled *&c*. Firſt, that ye ſhall truly obſerve 'all and ſingular the Kings Highneſs's Injunctions given 'unto you heretofore in my name by his Grace's Autho-'rity *&c*. This is enough to ſhew where the legiſlative Power for Spiritual matters reſted in *Henry* the Eighth's days. After which Injunctions this is Mr. *Fox's Epiphonema*. 'By theſe Articles and Injunctions (ſaith he) 'thus coming forth one after another for the neceſſary 'Inſtruction of the People [*but ſurely Mr.* Fox *had here forgot the Contents of the Kings firſt* Articles (which I mentioned before §. 80.) *much contrary to the Reformed Doctrines, conformable to the Romiſh*] it may appear, how well the King deſerved then the Title of his Supreme Government given unto him over the Church of *England* [*but to moderate Mr.* Fox *his Acclamations here; let me put him in mind, at another time, in his eſteem, how ill he deſerved it, remembring his words ſet down before* §. 84.] 'By the which Title and Authority he did more 'good for the redreſſing and advancing of Chriſt's Church 'and Religion here in *England* in thoſe three years; than 'the Pope, the great Vicar of Chriſt, with all his Bi-'ſhops and Prelates had done in the ſpace of three hun-'dred years before.

CHAP.

CHAP. VIII.

The Actings of Edward *the Sixth in Eccleſiaſtical Affairs.*

§. 104. 2. *The Actings of* K. Edward *in Eccleſiaſtical Affairs.*

THE Breach upon the Church's former Authority, Doctrines, and Practices, being thus made by *Henry* the Eighth, No marvel if by his Succeſſors it was much enlarged. Next then to look into the actions of *Edward* the Sixth with relation to Church affairs. This Prince, being not yet ten years old when he came to the Crown, was chiefly directed and ſteered by Arch-Biſhop *Cranmer*; and by his Uncle the Duke of *Somerſet*, who was made Protector of his Perſon and Realm, not by the will of *Henry* the Eighth, who dreaded to truſt any one perſon with this Charge; but by the major part of thoſe ſixteen perſons, to whom in common he committed the government of his Son and Kingdome. Of which Duke Mr. *Fox* ſaith p. 1180 and 1248, 'That 'he bare great favour to Gods word; and that he brought 'with him, to the State of that his Dignity, his an-'cient love and zeal of the Goſpel and of Religion [*he 'means, reformed.*] The proof whereof (ſaith he p. 1183. '1184.) was ſufficiently ſeen in his conſtant ſtanding 'to Gods truth, and zealous defence thereof againſt the 'Biſhops of *Chicheſter*, *Norwich*, *Lincolne*, *London*, and 'others moe, in the conſultation [*about compoſing a new 'form of adminiſtring the Sacrament*] had at *Windſor* 'in the firſt year of the King's Reign.

§. 105. n. 1. So inclined was the Protector; and ſo inclined were many of the Council; and ſome of thoſe, who were otherwiſe, yet openly complyed with the prevailing party for ſecular ends; and, amongſt theſe, even *Dudley* the great Duke of *Northumberland*, the chief Agent in the later times of *Edward*; who confeſſed ſo much at his death: he then exhorting the people; See *Stow* An. 1553.

1553. *Fox* p. 1280. and *Goodwin* p. 278. 'That they 'ſhould embrace the Religion of their Forefathers, re- 'jecting that of later date, which had occaſioned all the 'miſeries of the forepaſt thirty years [i. e. *from the be- 'ginning of* Henry *the Eighth's Supremacy*:] and that, 'for prevention for the future, they ſhould expel thoſe 'Trumpets of Sedition, the Preachers of the reformed 'Religion. [*and declaring to them*] That as for himſelf, 'whatſoever he had pretended, his Conſcience was 'fraught with the Religion of his Fathers; but being 'blinded with ambition he had been contented to make 'wrack of his Conſcience by temporizing *&c.* Which calls to my mind likewiſe the death of *Cromwel* the great Agent for Reformation in *Henry* the Eighth's days; who (then) renounced the Doctrines in this time called Hereſies; and took the people to witneſs, That he dyed in the Catholick Faith of the Holy Church, and doubted not in any Sacrament thereof [i. e. *I ſuppoſe, as the Doctrine thereof was delivered in thoſe times, to be ſeen in the* Neceſſary Doctrine *before mentioned*] See *Fox* pag. 1086. *comp.* Lord *Herbert* p. 462. As for thoſe of the Council who thus complyed not, they were, after ſome time, expelled; as Biſhop *Tonſtal*, *Wriothſley* the Chancellor; and the Earl of *Arundel*, *Goodwin* p. 242. And as the Kings chief Governors in the Council, ſo his Under-Tutors, who had the neareſt influence upon him, Dr. *Cox* and Sir *John Cheek*, were men much inclined to the Reformation: the one whereof in Queen *Elizabeth*'s days was made Biſhop of *Ely*; the other, being impriſoned in Queen *Mary*'s days, and upon it abjuring 'the reformed Religion, afterward (ſaith *Goodwin* pag. '287. became ſo repentant for it; that out of extre- 'mity of grief he ſhortly languiſhed, and dyed. Such were his neareſt Governors.

And the Complexion of his Parliament (for he had but one all his days continued by Prorogation from Seſſion to Seſſion, till at laſt it ended in the death of the King) you may learn from Dr. *Heylin* (*Hiſt.* of *Reform.* p. 48.) 'The Parliament (ſaith he) conſiſted of ſuch Mem- bers, §. 105. n.z.

'bers', as diſagreed amongſt themſelves in reſpect of 'Religion; yet agreed well enough together in one 'common Principle; which was to ſerve the preſent 'time, and preſerve themſelves. For tho a great part 'of the Nobility, and not a few of the chief Gentry in 'the Houſe of Commons, were cordially affected to the 'Church of *Rome*: yet were they willing to give way 'to all ſuch Acts and Statutes as were made againſt 'it; out of a fear of loſing ſuch Church-lands as they 'were poſſeſſed of, if that Religion ſhould prevail and 'get up again. And for the reſt, who either were to 'make or improve their fortunes; there is no queſtion 'to be made, but that they came reſolved to further 'ſuch a Reformation, as ſhould moſt viſibly conduce to 'the advancement of their ſeveral ends. *Thus he.*

§. 105. n. 3. As for the Kings Supremacy how far now ſome of the complying Clergy extended or acknowledged the juſt power thereof, even as to Ordination and Excommunication, and adminiſtring the Word and Sacraments, I think I cannot more readily ſhew you, than by ſetting down the Queries propoſed concerning theſe things (in the firſt year of this Kings Reign) to Arch-Biſhop *Cranmer*, and other Biſhops and Learned Men, when aſſembled at *Windſor* for eſtabliſhing a publick Order for Divine Service; and the Arch-Biſhops anſwer to them (printed lately by Mr. *Stillingfleet* out of a Manuſcript of this Arch-Biſhop (*Iren.* 2. Par. 8. chap.) The firſt Query is, 'Whether the Apoſtles lacking a higher 'power, as in not having a Chriſtian King among them, 'made Biſhops by that neceſſity; or by authority given 'them of God? To which the Arch-Biſhop anſwers to the King, firſt in general; 'That all Chriſtian Princes 'have committed unto them immediately of God the 'whole cure of all their Subjects, as well concerning 'the adminiſtration of Gods word for the cure of Souls, 'as concerning the miniſtration of things Political; 'That the Miniſters of Gods word under his Majeſty 'be the Biſhops, Parſons, *&c.* That the ſaid Miniſters 'be appointed in every State by the Laws and Orders of 'Kings;

Kings; 'That in the admiſſion of many of theſe Officers 'be divers comely Ceremonies uſed; which be not of ne-'ceſſity, but only for a good order and ſeemly faſhion. 'That there is no more promiſe of God, that Grace is 'given in the committing the Eccleſiaſtical office; than 'it is in the committing the Civil. *Then he anſwers more particularly*, 'That in the Apoſtles time, when there 'was no Chriſtian Princes, by whoſe authority Mini-'ſters of Gods word might be appointed *&c.* Sometimes 'the Apoſtles and others, unto whom God had given 'abundantly the Spirit, ſent or appointed Miniſters of 'Gods word; ſometimes the people did chooſe ſuch 'as they thought meet thereunto. And when appoint-'ed by the Apoſtles; the people of their own volun-'tary will did accept them, not for the Supremity, 'Impery or Dominion, that the Apoſtles had over them 'to command as their Princes or Maſters; but as good 'people ready to obey the advice of good Councellors. A ſecond Query is, 'Whether Biſhops, or Prieſts, were 'firſt? And if the Prieſts were firſt; whether then the 'Prieſt made the Biſhop? He anſwers, That Bi-'ſhops and Prieſts were at one time; and were not two 'things, but both one office in the beginning of Chriſt's 'Religion. The third Query. Whether a Biſhop hath 'authority, to make a Prieſt, by the Scriptures, or no? 'And whether any other [i. e. *Secular perſon*] but only 'a Biſhop may make a Prieſt? He anſwers. A Biſhop 'may make a Prieſt by the Scriptures; and ſo may Prin-'ces and Governors alſo, and that by authority of God 'committed unto them; and the people alſo by their 'Election. The fourth Query. Whether in the New 'Teſtament be required any Conſecration of a Biſhop 'and Prieſt; or only appointing to the office be ſuffici-'ent? Anſwer. In the New Teſtament he that is ap-'pointed to be a Biſhop or a Prieſt needeth no Conſe-'cration by the Scripture; for election or appointing 'thereto is ſufficient. The fifth Query. Whether (if 'it fortuned a Prince Chriſtian learned to conquer cer-'tain dominions of Infidels, having none but temporal

'learned men with him) it be defended by Gods Law, 'That he and they ſhould preach and teach the Word 'of God there, or no? And alſo make and conſtitute 'Prieſts, or no? [*In the next Query, which I omit for brevity ſake, is mentioned alſo the miniſtring of Baptiſm and other Sacraments.*] He anſwers to this and the next, 'That it is not againſt Gods Law: but (contrary) they 'ought indeed ſo to do. The ſeventh Query. Whether 'a Biſhop or a Prieſt may excommunicate; and for what 'Crimes? And whether they, only, may excommu-'nicate, by Gods law? He anſwers, A Biſhop or a 'Prieſt, by the Scriptures, is neither commanded nor 'forbidden to excommunicate. But where the Laws 'of any Region giveth him authority to excommuni-'cate; there they ought to uſe the ſame in ſuch crimes, 'as the laws have ſuch authority in: And where the 'laws of the Region forbiddeth them; there they have 'none authority at all; and they, that be no Prieſts, 'may alſo excommunicate, if the law allow thereunto. Thus the Arch-Biſhop explains the Kings and Clergies power and right, concluding, 'That he doth not te-'merariouſly define this his opinion and ſentence; but 'remits the Judgment thereof wholly to his Majeſty. This Text needs no Comment; it is plain enough: and perhaps poſterity might have done better to have covered this nakedneſs of their Foreſather; then to have publiſhed it after ſo long a ſilence. *Now to proceed:*

§. 106. Set down. 1. First more generally.

2. In putting forth certain Injunctions and Doctrinal Homilies; ſending Commiſſioners thro the Realm and ejecting the refractory Clergy &c.

Thus this young Prince armed in ſuch a ſence with the Title of *Supreme* in Church-affairs, and directed by ſuch a Council, did ſet forth from time to time (nothing being deferred herein by reaſon of his nonage, tho this much ſued-for by ſome Biſhops,) Injunctions concerning Religion; and many of them in matters of faith; and theſe contrary to the determinations and decrees of former obliging Councils. *Set them forth,* ſometimes with the ſole authority of this Council; ſometimes alſo with that of his Parliament, without any *precedent* conſultation with, or conſent of, I ſay not ſome particular Biſhops, or Divines (moſt of them known to

to be of the ſame inclinations with the Council, as chiefly *Cranmer* and *Ridley*; to whom I may add *Latimer*, *Hooper*, *Rogers*, *Coverdale*,) but of any Eccleſiaſtical Synod of his Clergy (the Act of which only hath force in ſuch matters) and uſually without the precedent conſent of other Biſhops very conſiderable for their learning or place; as *Gardiner* Biſhop of *Wincheſter*, *Bonner* Biſhop of *London*; *Tonſtal* Biſhop of *Durham*, and one of the choſen Governors of the Kingdome; *Heath* Biſhop of *Worceſter*, and others. And he impoſed the ſame Injunctions ſo ſet forth upon the Biſhops alſo and the reſt of the Clergy; to be ſubmitted to by them, as being the Orders of their Supream Head in Spirituals, upon penalty of ſuſpenſion, impriſonment, deprivation.

Of which actings of the King and State, before we deſcend to particulars, hear what Mr. *Fox* ſaith in great applauſe of them, p. 1180; where after having told us, That the Protector had reſtored the holy Scriptures to the Mother-Tongue, had extinguiſhed and aboliſhed Maſſes, and the Six Articles; 'After ſofter 'beginnings (ſaith he) by little and little greater things 'followed in the Reformation of the Churches; ſuch 'as before were in baniſhment for the danger of the truth, 'were again received in their Country [*to ſupply voided 'places*:] and to be ſhort (ſaith he) a new face of things 'began now to appear, as it were on a Stage, new Play-'ers coming in [*what needed this, if the old conſented to 'the Kings Mandates?*] the old being thruſt out. [*therefore the conſent of Clergy, ſo much urged in the later end of this Kings Reign, will be that of the new.*] For the 'moſt part the Biſhops of Churches and Dioceſſes were 'changed. Such as had been dumb Prelates before, 'were compelled to give place to other then, that would 'preach and take pains. Beſides; others alſo out of 'Forreign Countries [*which argues ſcarcity at home of thoſe Clergy, who would ſecond the Kings Reformation*] men 'of learning and notable knowledge were ſent for and 'received; among whom was *Peter Martyr*, *Martin* §. 107.

Bucer, and *Paulus Phagius* [*he might have added to them* Bernardinus Ochinus (but that this man would do him no credit) *who, we read in* Goodwin, *p.* 281. *was packed away again with* Peter Martyr *in the beginning of Queen* Mary's *Reign*; *and three of theſe*, Martyr, Bucer, *and* Ochinus, *were Fryars, forſaking the Cloiſter, and marrying Wives*; *after ſolemn Vows to the contrary.*] Of whom 'ſaith he) the firſt taught at *Oxford*; the other two 'profeſſed at *Cambridge*, [*ſure this was ſo appointed, not becauſe the Univerſities here at that time were not held ſo learned, but becauſe not accounted ſo orthodox*; *as appeared ſhortly after in the beginnings of Queen* Mary, *notwithſtanding* Martyrs *and* Bucers *Lectures there.*] He addeth; 'And that with no ſmall commendation of the whole 'Univerſity [and I put in, *not without oppoſition of many learned men there, diſputing* ex animo *before the Kings Viſitors againſt them and their Tenents*; *as you may ſee in the ſolemn diſputations had in* Cambridge, Fox *p.* 1250. *&c. Where I would recommend to your reading, when at leiſure, the rational arguings, and Apologies for the Church's Doctrines, of Dr.* Glyn, *and Mr.* Langdale, *and others, Members of the Univerſity of* Cambridge, *againſt this reforming party, and againſt the interlocutions of Biſhop* Ridley *one of the Viſitors. As for the* Oxford *Oppoſitions,* Fox *p.* 1255. *Mr.* Fox *hath not communicated them. There is extant* P. Martyrs *relation of them, perhaps not the moſt impartial*; *yet wherein you may find in his Opponents,* Treſham, Chadſey, *and* Morgan, *much learning, reverence to the Church, and zeal in their cauſe*; *and (as we may gather from his Preface) a conceived victory*; *of whom there he ſaith,* Omnes anguli, plateæ, domus, officinæ, & ænopolia adhuc eorum mentitos triumphos de me & ἐπινίκια *reſonant. By which you may gueſs, how the Univerſity of* Oxford *then ſtood affected. Mr.* Fox *proceeds*;] 'Of the old Biſhops 'ſome were committed to one ward, ſome to another. '*Bonner* Biſhop of *London* was committed to the Mar-'ſhalſee, *Gardiner* Biſhop of *Wincheſter*, with *Tonſtal* 'Biſhop of *Dureſme*, was caſt into the Tower. [*to whom* Fox *p.* 1280. *may be added, as appears out of* Fox *elſewhere*, Day *removed*

moved from Chicester, Heath *from* Worcester, Vesy *from* Exceſter; *Likewiſe* Pate *Biſhop of* Rocheſter, Goldwel *Biſhop of St.* Aſaph, -------- *Biſhop elect of* Bangor, *are ſaid to have been baniſhed. And ſome more might be removed in like manner; who happen not to be mentioned, becauſe deceaſed before the Reign of Queen* Mary: *as* Wakeman *Biſhop of* Glouceſter, Holbeck *Biſhop of* Lincolne, Skyp *Biſhop of* Hereford, Rugg *Biſhop of* Norwich; *as may be probably conjectured from Mr.* Fox *his expreſſions but now rehearſed.*]

After this Mr. *Fox* goeth on to deſcribe, what courſe §. 108. the King and that his Council took in the very beginnings of their power, before any Parliament or Synod yet aſſembled, to effect a Reformation in the Church. 'The King (ſaith he) following the good Example of 'King *Joſias* determined forthwith to enter into ſome 'Reformation of Religion in the Church of *England*. 'Whereupon intending firſt a general Viſitation over 'all the Biſhopricks (thereby as well to underſtand, as 'alſo to redreſs the abuſes of the ſame) he choſe out 'certain wiſe, learned, diſcreet, and worſhipful perſons, 'to be his Commiſſioners in that behalf; and ſo, divi-'ding them into ſeveral companies, aſſigned unto them 'ſeveral Dioceſſes to be viſited: Appointing likewiſe 'unto every company one or two godly learned Preachers [*by which it ſeems the Commiſſioners were Laicks; unleſs we ſay they appointed ſome godly Preachers to aſſiſt the Divines; ſee the names of thoſe for the Dioceſs of* London, Fox *p.* 1192.] which Preachers at every Seſſion ſhould 'inſtruct the people in the true Doctrine of the Goſpel; 'and dehort them from their old Superſtition and Idola-'try. And that they might be more orderly directed 'in this their Commiſſion, there were delivered unto 'them certain Injunctions and Eccleſiaſtical Orders, 'drawn up by the Kings learned Council; the which 'they ſhould command, in his Majeſties behalf, to be 'thenceforth obſerved of every perſon, to whom they 'did appertain, within their ſundry Circuits. [*Theſe Injunctions (as we find in the Kings Preface to them) are directed*

rected to both Clergy and Laity, for the ſuppreſſion of Idolatry and Superſtition; and the extirpation of enormities and abuſes; by the Kings ſupreme authority aſſiſted by the advice of his moſt dear Uncle the Duke of Somerſet, *and the reſidue of his moſt honorable Council.*] And of the ſame univerſal Viſitation made by the Kings appointment thus ſpeak the *Antiquit. Britann.* p. *Paulo poſt omnes Papales cæremoniæ*, Miſſationes, Exequiæ, Sanctorum invocationes, mortuorum expiationes, precationumque formulæ *è templis & chriſtianorum cœtu ſublatæ atque deletæ ſunt. Ad hanc rem a Rege viſitatio totius regni generalis decernitur: datique cum ampliſſimis mandatis certi Viſitatores, qui ſingulas Dioceſes luſtrarent.* And in this 'Viſitation, beſide the general Injunctions for the whole 'eſtate of the Realm (ſaith Mr. *Fox* Ibid.) there were 'alſo certain others particularly appointed for the Bi-'ſhops only; which were by the Commiſſioners com-'mitted to the ſaid Biſhops, with charge to be invio-'lably obſerved upon pain of the Kings Majeſty's diſ-'pleaſure. *Firſt*: That they ſhould ſee and cauſe all 'the Kings Injunctions, theretofore given, or after to be 'given, from time to time, thro their Dioceſs faith-'fully to be obſerved. ---Moreover; that they ſhould 'not at any time or place preach or ſet forth unto the peo-'ple any Doctrine contrary to the effect and intent ſet 'forth in the Kings Highneſſe's Homilies [*which Homilies are the ſtating of ſeveral Doctrinals in Religion*] neither yet 'ſhould give Licence to preach to any, but to ſuch, as they 'ſhould know (or at leaſt aſſuredly truſt) would do the 'ſame: of whom if any offended herein, that they ſhould 'inhibit and puniſh him; and revoke their Licence.

§. 109. *In the prohibition of Preaching till he had ſetled Religion.*

Thus much at large out of Mr. *Fox*, touching the firſt proceedings of the King and his Council in the Reformation, before the calling of any Parliament or Synod. But to proſecute this matter a little further: after the enjoyning the Doctrine of the Homilies and other matters, the King finding much reluctance and oppoſition to them in many alſo of this Miniſtery licenced by their Ordinaries, or rather in the Ordinaries alſo themſelves,

He,

He, in the beginning of the ſecond year of his Reign, 'by his Proclamation *February* the Sixth, inhibited any 'to preach, except he were licenced under the Seal, 'either of the Lord Protector, or of *Cranmer*, Arch-'Biſhop of *Canterbury*. About this time he reſtrained likewiſe the Biſhops themſelves, thought too actively buſy in ſeveral places of their Dioceſſes, [*how doth this agree with Mr.* Fox *his dumb Prelates*? See before §. 107.] to preach only in their own Cathedrals; a thing (ſaith *Wincheſter* writing to the Protector) the like whereof hath not been known in any time. Some ſeven Months after, neither finding thoſe licenced by the Protector and Arch-Biſhop of *Canterbury* conformable to the Doctrines preſcribed, 'By a Proclamation put forth *Sept.* '23, he inhibited the whole Clergy thro the Kingdome, 'as well (ſaith the Proclamation) the ſaid Preachers 'before licenſed, as all others, whoſoever they be, to 'preach in open audience, in the Pulpit or otherwiſe: '[*the reaſon there given*] becauſe thoſe licenced had a-'buſed the ſaid authority of Preaching; and had be-'haved themſelves irreverently and without good or-'der in the ſaid preaching; contrary to ſuch good in-'ſtructions as were given unto them: [*the time of ſi-'lence there preſcribed*] becauſe that his Majeſty minded 'to ſee very ſhortly one uniform order throughout this 'his Realm, and to put an end to all Controverſies in 'Religion; for which cauſe at that time certain Biſhops 'and notable learned men by his Highneſs's command 'were congregated; therefore he inhibited them, until 'the ſaid order ſhall be ſet forth [*which ſhould ſhew them what Doctrine they were to preach, compoſed by ſome ſuch Biſhops and other Learned, as were elected to this by the Prince*] See the Proclamation in *Fuller* p. 388. Lib. 7. Fox *p.* 1224.

§. 110. *The defence made by the Proteſtant Divines concerning K. Edw. Proceedings in matters of Religion.*

And thus much of the firſt beginnings and manner of King *Edward* the Sixth's Reformation. In defence of which I find theſe things ſaid by Dr. *Fern*, (*Conſider. of Reform.* 2. c. 9. §. *&c.*) Dr. *Hammond*, (*Schiſm* 7. c. 14. §.) and others. 1. That theſe Injunctions (and the like) of the King and Council were not ſet forth, *a* but by

1. *a*

by the advice and conſent of the Metropolitan, the Arch-Biſhop of *Canterbury* (to the authority of which Metropolitans much is to be attributed. See *Can. Apoſt.* 34. and *Concil. Nicæn.* 4. c.) and of β other Biſhops and γ learned men firſt conſulted with. 2. That γ theſe Injunctions were not ſet forth, as a Body of Doctrine; which was an Act of the Synod held in the fifth year of King *Edward*'s Reign: but were Proviſional only, for δ the publick exerciſe of Religion and Worſhip; δ which was neceſſary to be provided for in preſent. Dr. *Fern* p. ζ 74, 75. 3. ζ That they extended only to ſome evident points, the aboliſhing of *Image-worſhip*, the reſtoring of the *Liturgy in a known Tongue*, and *Communion* ε *in both kinds*, and the aboliſhing of *Romiſh Maſſes*; (ε in which things was the main of King *Edward*'s Reformation, p. 71;) ζ and that in them the King reſtored only what was eſtabliſhed and uſed in the ancient Church. *viz.* Divine Service in a known tongue; Communion η in both kinds; without Image-worſhip, p. 76. 4. η That the Kings Injunctions were generally received and put in practice by the Biſhops in their ſeveral Dioceſſes; as is avouched expreſly in the charge given in againſt *Gardiner* Biſhop of *Wincheſter*, p. 77. Fox p. 1219: where it is ſaid; 'That they were of all men of all ſorts 'obediently received and reverently obſerved and exe- θ 'cuted, ſave only of the Biſhop of *Wincheſter*. θ At leaſt, that the Kings Injunctions were conſented and ſubmitted to by the much major part of Biſhops; the Biſhops impriſoned or ejected being a much ſmaller num- κ ber compared with the reſt. Dr. *Hammond*, p. 147. κ And then, that it can make no real difference, whether the Reformation begin from a vote of Biſhops in Synod, and ſo proceeding to the Prince be by him received and eſtabliſhed; or take beginning from the Piety of the Prince, moved by advice of faithful Biſhops, and ſo proceeding to the whole body of the Clergy be by them generally received, and put in practice, according to the command of the Sovereign authority. Dr. μ *Fern*, p. 80, 79. 5. μ That, at leaſt in the fifth year of

of King *Edward*, it muſt be granted, that an Eccleſiaſtical Synod acknowledged the truth and lawfulneſs of the former Injunctions, conſtituting the ſame things in a body of forty two Articles of Religion: which Articles were ſhortly after publiſhed by the Kings authority with this Title prefixed. *Articuli de quibus in Synodo* London: *An.* 1552. *ad tollendam opinionum diſſenſionem, & conſenſum veræ religionis firmandum, inter Epiſcopos & alios eruditos viros convenerat, Regia authoritate editi.* In the thirty ſixth of which Articles is alſo ratified the ſecond corrected Form of *Common-Prayer*, and the new Form of *Ordination* in theſe words: *Liber, qui nuperrimè authoritate Regis & Parliamenti Eccleſiæ* Anglicanæ *traditus eſt, continens modum & formam orandi, & Sacramenta adminiſtrandi in Eccleſiâ* Anglicanâ; *ſimiliter & libellus eâdem authoritate editus de* Ordinatione Miniſtrorum Eccleſiæ, *quoad doctrinæ veritatem pii ſunt*, &c. *Atque ideo ab omnibus Eccleſiæ* Anglicanæ *fidelibus membris, & maximè a Miniſtris verbi, cum omni promptitudine animorum & gratiarum actione accipiendi, approbandi, & poſteritati commendandi ſunt.* And alſo for the firſt new Form of Common-Prayer, and Adminiſtration of the Sacraments, it muſt be granted, that, in the ſecond year, and ſecond Parliament of the Kings Reign, the whole body of the Clergy in Convocation gave their approbation and conſent thereto: as appears both, by the Kings meſſage to the Rebels of *Cornwal*; where it is ſaid, 'That what-ever was contained in the new 'Common-Prayer-Book *&c.* was by Parliament eſta-'bliſhed, by the whole Clergy agreed, by the Biſhops 'of the Realm deviſed; *Fox* p. 1189: and by the Let-'ter of the King and his Council to Biſhop *Bonner*; where it is ſaid yet more fully; 'That, after great and 'ſerious debating and long conference of the Biſhops 'and other grave and well learned men in the holy Scrip-'tures, one uniform Order of Common-Prayer and Ad-'miniſtration of Sacraments hath been and is moſt God-'ly ſet forth, not only by the full aſſent of the Nobility 'and Commons of the late Parliament; but alſo by the

'like aſſent of the Biſhops in the ſame Parliament, and 'of all other the learned men of this our Realm, in their 'Synods and Convocations Provincial. *Fox* p. 1186. And ſee much-what the ſame ſaid in the Anſwer to the 6. v Lady *Mary*'s Letter. *Fox* p. 1212. 6. v That, ſuch conſent and ſuch Conſtitutions of the Clergy of this Realm being not to be denied, at leaſt it will follow: that the Reformation, as touching the Common-Prayer-Book, from the ſecond year of his Reign, and, as touching the other Articles of Religion, from the fifth, was regular and canonical; as being the act of the Clergy.

§. 111. *The Reply thereto.* Thus have I here put you together the ordinary defence (excepting the *ultimum refugium*; That Princes may reform in matters of Religion and of Faith, without and againſt the major part of their Clergy; of which hereafter) which is made for the regularity of *Edward* the Sixth's Reformation. To which now conſider with me, what, it ſeemeth, may reaſonably be replyed: tho ſome things cannot be ſo fully cleared, till I have given you the reſt of the Narration of this Kings Proceedings; to which therefore I muſt refer you for them. *Reply to α.* To α then I anſwer, That the Arch-Biſhop acted not, in the ſetting forth of theſe Injunctions, as the Metropolitan; but as one of the Sixteen Councellors whom *Henry* the Eighth nominated for the Government of his Son; and in the ſame manner as he would have acted had he been Biſhop of *Aſaph* or *Bangor*. Neither are the Injunctions grounded at all upon the Metropolitan's aſſent, but on the Kings Supremacy; nor do they make any mention of him or his authority, but only of the Council in general, and of their advice; as you may ſee in what is before related §. 108. Neither were thoſe Canons, being of humane conſtitution only, conceived, either by King, Council, or this Arch-Biſhop, to be of any force under this Regal Supremacy. But ſecondly, Suppoſe them in force, and theſe Injunctions publiſhed by the Metropolitan's authority; yet is not ſuch authority made valid in ſuch things, when ſingle, without the concurrence of his Biſhops, by any ſuch Canon. For the very

very ſame Canon that ſaith, *Nihil præter Metropolitani conſcientiam gerant Epiſcopi* &c. ſaith alſo, *Nec ille præter omnium conſcientiam faciat aliquid in eorum Paræciis; Sic enim unanimitas erit.* See *Can. Apoſt.* 35. Thirdly, laſtly: every thing ſet forth by the advice of this Council is not neceſſarily ſo by the Arch-Biſhops advice or vote, becauſe he is one of the Council: For here the vote of the major part (who were all Lay-men ſave himſelf, and one Dr. *Wotton*; if Biſhop *Tonſtal*'s vote was caſt out) tho it were contrary to his vote, bears the name of the whole.

To *β.* That the advice of many Biſhops was uſed in many of the Kings Injunctions (unleſs in that, touching the new Form of Common-Prayer) is not evident: that the advice of ſome Biſhops was uſed in all, is credible; but thoſe, ſuch as were preſumed to be of the ſame inclinations with the King and Council (as whatſoever colour the State is of, it cannot want ſome Clergy of the ſame complexion.) For Example; *Cranmer* and *Ridley* now called to conſultation, but *Gardiner*, *Tonſtal*, *Bonner*, *Heath*, &c. ſhut out; and in Queen *Mary*'s days, *contra*. That the advice of *many* Biſhops uſed is not ſufficient for to impoſe Laws on the reſt, where *all* have a deciſive vote; and, where the legiſlative power lies in the major part, *viz.* in a Synod, to prevent Innovations by ſuch Prelates, as are ſingular in their opinions. §. 112. *To β.*

To *γ.* That King *Edward* claimed by his Supremacy, according to the power, which, as I have ſhewed above §. 39. &c. was judged then to belong to it, the giving of Laws to his Clergy, not only for rectifying their practice, but Doctrines (only uſing the aſſiſtance of ſuch Divines, or other learned men, as he thought fit to ſingle out for this purpoſe) as you may ſee, In his preſcribing the Doctrine of the Homilies unto them; and alſo, In his injoyning them, that, whatſoever elſe ſhould come from him, they ſhould ſee, and cauſe, it faithfully to be obſerved: In his ſilencing the Miniſtery, till ſomething were drawn up by certain Biſhops and other learned men congregated by his authority, that ſhould put an end to §. 113. *To γ.* *Before* §. 103.

all controverſies in Religion: before §. 109. In the ſtile of his Proclamation before the order of the Communion; where he ſaith: 'We would not have our Sub'jects ſo much to miſlike our judgment; as tho we could 'not diſcern what was to be done &c. God be praiſed, 'we know both what by his word is meet to be redreſſed, 'and have an earneſt mind by the advice [*of whom?*] 'of our moſt dear Uncle, and other of our privy Coun'cil, with all diligence to ſet forth the ſame: and In the laſt Articles to the Biſhop of *Wincheſter* (drawn up Fuller 8. *l.* (ſaith the Kings Diary) by Biſhop *Ridley*, and Secretary Sir *W. Peters*) which required his Subſcription to ſeveral points of Doctrine, mentioned above: before §. 45.

6 114. To *A.* That if there was then a preſent neceſſity of *To A.* providing for the publick exerciſe of Religion and Worſhip; ſo, this being a matter of the greateſt moment, there was alſo a neceſſity, that the judgment of the National Synod, and not only of the Kings private Council ſhould be had therein: leſt, by remedying ſuch things haſtily, they ſhould be remedied amiſs. 1. That it is moſt probable, had the Clergy been generally conſulted with herein, they would have diſcovered no ſuch neceſſity: becauſe the ſame Clergy, but a year ago, in *Henry* the Eighth's time, at leaſt for a major part of them, ſaw no neceſſity of changing the Church's Service; as appeareth in the firſt, ſecond, fifth, ſixth of the Six Articles, ratified as by the King, ſo by Synod. And this their judgment not likely to be miſtaken, becauſe the judgment of the whole Catholick Church for near a 1000 years had been the ſame; uſing the ſame publick exerciſe of Worſhip, which King *Edward* found in this Church of *England*. See *Church Govern.* 4. Part: and therefore ſome of King *Edward*'s Biſhops ſaw a neceſſity of leaving their Biſhopricks, rather than to admit any change thereof.

6. 115. To *B.* That the few things here mentioned are not *To B.* the only conſiderable things that paſſed in King *Edward*'s Reformation, as will be ſeen by and by; and as is manifeſt

feſt in Queen *Elizabeth*'s and the modern Reformation, which our Writers contend ſcarce in any thing to differ from King *Edward*'s. But, if it be meant, that thoſe matters were the main of his Reformation in the beginning of his Reign, the Doctrines of the Homilies then alſo impoſed contradict this; and the Articles to *Wincheſter*: before §. 108. But now to come to what is ſaid of the points here mentioned.

To ζ. That firſt, where a pretenſion is, that the things by the King enjoyned are things evident, and eſtabliſhed in the ancient Church; the Clergy alſo ought to be Judge of this (eſpecially when the contrary was ſaid in King *Henry*'s days) whether evident, whether primitive: becauſe to judge whether primitive requires much learning; and is indeed the chief means, by which Controverſies are decided; namely this, the examining how former Church hath interpreted the Scriptures; which Scriptures all ſides draw to their own ſenſe. §. 116. *To ζ.*

But ſecondly it is denyed, that all the Reformation made in the publick Service was eſtabliſhed in the ancient Church; and affirmed, that the Reformation proceeded alſo further in theſe points, than is here mentioned. Thus much is granted (to remove here that ambiguity and deceit which lies in Univerſals;) That Images, and ſo the veneration or worſhip of them, were very ſeldome (if at all) uſed in the Chriſtian Church for ſome of the firſt Centuries. That the publick Communion was, then, moſt commonly, if not always, adminiſtred in both kinds unto the people. That the Divine Service, which then, as now, was celebrated uſually in the Latine, or Greek, Tongue, was much better, in thoſe days, than now, underſtood of the common people. Likewiſe it is granted, That the having the Liturgy, or Divine Service, or the Holy Scriptures, in a known tongue is not prohibited; nor the uſing of Images enjoyned; nor the Prieſts adminiſtring and the Peoples receiving the Communion in both kinds, if the Supreme Church Governors ſo think fit, declared unlawful, by any Canon of any Council. §. 117.

But

§. 118. But the Reformation of King *Edward* in theſe things went further. For it tranſlated not ſimply the former Divine Service into a known Tongue (a thing which might eaſily have been done, for Mr. *Fox* himſelf hath done ſo much, ſee p. 1272. in the beginning of Queen *Mary*'s Reign, to expoſe it to laughter and lay open its Errors and Superſtitions;) but changed and altered it (of which is made no mention in ζ) taking away the Sacrifice of the Maſs, and declaring ſuch thing unbeneficial and vain either *pro vivis* or *defunctis*; Contrary to the tenent and practice of the Primitive Church, which in ſuch ſenſe offered it, as is ſhewed elſewhere in the diſcourſe of the *Euchariſt*, and in *Chur. Govern.* 4. Part; and Contrary to the declared judgment of the Engliſh Clergy but a few years before; as appears in the fifth of the Six Articles: and declared likewiſe the Maſs-book to have many Superſtitions in it, and to be full of abuſes; contrary to the long approbation of the whole Church Catholick in the publick uſe thereof from age to age without any conſiderable difference. Again; his Reformation held no conſideration ſufficient to deny the Cup to the Communicants; contrary not only to the definition of a former Superior Council, that of *Conſtance*, and the declared opinion of the Engliſh Clergy, in the ſecond of the Six Articles; but contrary to the tenent and practice of the Primitive times, who ſometimes in private Communions adminiſtred it only in one kind; as is ſhewed in the diſcourſe of *Communion in one kind.* It took away all private Maſſes, as holding it unlawful for the Prieſt to celebrate and communicate alone; contrary to the ancient practice of the *quotidian* Chriſtian Sacrifice, (whether any of the people communicating, or no,) offered unto God for the impetration of his mercies upon the Church: and contrary to the declared judgment of the Engliſh Clergy in the fifth of the Six Articles. In which ſingle communicating of the Prieſt (caſually happening) if there be any fault made, it is to be laid not on the Prieſts performance of this dayly Service, but on the people's indevotion and neglect to accom-

See Stat. 1. Edw. 6. 14. *c. And Articles ſent to* Winchester.

accompany him in that holy Banquet. Whereas the Church that uſeth ſuch private Maſſes, wiſheth, that the Prieſt might never communicate alone, but if this ſometimes happen, which is not the Prieſts fault, the Church doth not therefore command this Sacrifice of the Euchariſt to be omitted: *quod Sacrificium a publico Eccleſiæ miniſtro non pro ſe tantum, ſed pro omnibus fidelibus, qui ad Chriſti corpus pertinent, celebratur.* See *Conc. Trid.* 22. *Seſſ.* 6. cap. This loſs is a worſe thing than the other indecency. Laſtly, It held the veneration of Images or Saints Reliques unlawful: contrary to the definition of a former General Council, the ſecond *Nicene*; which Council alſo juſtifies it by Antiquity. Now King *Edward*'s Reformation proceeeding thus far, you ſee, intereſts it ſelf not only in matter of Practice, but Doctrine. And indeed there could be no ſuch neceſſity pretended of reforming the publick Service in ſuch a manner, had they not judged the former frame thereof to be grounded on ſome erroneous opinions. But, had the Reformation only tranſlated the former Church Liturgies and Scriptures into a known Tongue; adminiſtred Communion in both kinds; thought fit not to uſe Images; changed ſomething of practice only without any deceſſion from the Church's Doctrines: 'tis probable, the Church-Governors would have been facile to licence theſe, where they could be ſecure of no breach in greater, matters.

§. 119. *To n.* Where *Concerning the Clergy's concurrence and conſent to the Kings Reformations.*

To *n*. That the words urged out of the charge againſt *Wincheſter* prove not the Clergy's reception of, or ſubmiſſion to, all the Kings Injunctions touching the Reformation; but only to the firſt Injunctions. That whether they be extended to the firſt, or to all, they muſt be underſtood in ſome ſuch ſenſe, as this; That at that time, when this charge againſt *Wincheſter* was drawn, there were as yet none other known to the Council that did *by open Proteſtation and Letters* (as it follows in that charge) *ſhew a wilful diſobedience thereto* &c. Or elſe the verity of them will not conſiſt with the ſtory of thoſe times; which often ſignify a great oppoſition and averſeneſs,

neſs, in many of the Clergy beſides *Wincheſter*, to the Kings proceedings in the alteration of Religion; ſo far as that many were ſilenced, ſuſpended, impriſoned, ejected out of their Spiritual Preferments for this cauſe.

§. 120. For evidencing which; ſee firſt in *Fox* p. 1192. Biſhop *Bonner*'s proteſtation concerning theſe firſt Injunctions and Homilies, when they were tendered unto him by the Commiſſioners; which proteſtation was ſo far from being interpreted an *obedient reception or reverent obſervance of them*; that for it he was ſent to the Fleet. And what was done by *Gardiner* and *Bonner*, leading Biſhops, that it was done alſo by many others, I pray you review Mr. *Fox*'s words before recited §. 107. *That for the moſt part the Biſhops of Churches and Dioceſſes were changed* [which you may compare with what is ſaid before (§. 107.) of the many new Biſhops made by King *Edward*.] *That Learned Men were ſent for out of forreign Countries*; ſurely not becauſe the Leaders of the Univerſities were not ſo well ſtudied (ſee their Diſputations) but becauſe not ſo conformable to the new preſcriptions. *That of the old Biſhops ſome were committed to one ward, ſome to another*: where he names *Bonner*, *Gardiner*, *Tonſtal*; but might have mentioned alſo *Heath*, *Day*, *Veſy*, that we know of. And to the ſame purpoſe much-what ſpeaketh *Godwin* p. 223. *A. D.* 1548; who after having commended *Day* and *Tonſtal* for very learned Prelates, ſaith, 'That the drift of the puniſhments of ſuch 'men, when in *Henry*'s time they were accounted the 'chief Lights of our Church, he conceives to have been, 'that the reſt of that Order might by their Example 'be admoniſhed, without diſſimulation, either to reſign 'their Biſhopricks to others that were thought [*by the 'preſent times*] more worthy; or be induced [*by this 'terror*] to conform themſelves to the preſent Refor-'mation of the Church, according to the preſcript of 'the Laws in that behalf lately enacted [i. e, *by Parlia-'ment.*] *Thus he.* But that the impriſonment of theſe or of ſome other Clergy, as alſo that the diſſent of many others to the Kings Injunctions, who were not as yet im-

priſoned

priſoned for it, preceded the confirmation of theſe Injunctions by any Act of Parliament or Convocation, appears from the very Act it ſelf. 2. *Edw.* 6. 1. c. Where the Parliament deſires of the King, 'That all perſons 'that have offended in the Premiſes [i. e, *in refuſing the Form of Common-Prayer, or at leaſt of the Maſs, impoſed by the King before this Act*] other, than ſuch per- Fox p. 1184.
'ſon or perſons as now be and remain (ſaith the Act) 'in the ward of the Tower of *London*, or in the *Fleet*, 'may be pardoned thereof. Some Clergy therefore were impriſoned for this cauſe before this Act: and more alſo had offended in this matter, than thoſe who were impriſoned; whoſe pardon here was begged by the Parliament.

Which reluctance of the Clergy may be ſeen alſo in §. 121.
what Mr. *Fox* relateth p. 1184; who, after he hath firſt told us, how a new Form of Communion was agreed on by certain learned men appointed by the King (which Form, you muſt know, was not allowed, or ſeen, by the firſt Parliament of King *Edward*; which Parliament appointed Communion in both kinds indeed; but this might have been obſerved without altering or adding one Syllable to the Maſs) and enjoined by the Council to be duly executed both by the Biſhops and their ſubordinate Clergy, thus complains; 'Nevertheleſs '(ſaith he) as at no time any thing can be ſo well done 'of the godly, but that the wicked will find ſome means 'to deface the ſame: ſo likewiſe at this preſent, thro 'the perverſe obſtinacy and diſſembling frowardneſs 'of many inferiour Prieſts and Miniſters of Cathedral 'and other Churches of this Realm, there did ariſe a 'marvellous Schiſm and variety of faſhions in celebra-'ting the Common Service, and adminiſtration of 'the Sacraments, and other Rites and Ceremonies of 'the Church. For ſome zealouſly allowing the Kings 'proceedings, did gladly follow the order thereof; 'and others, though not ſo willingly admitting them, 'did yet diſſemblingly and patchingly uſe ſome part of 'them: but many careleſly contemning all would ſtill

'exerciſe their old wonted Popery [i. e, *in other language*, would ſtill retain the former ſolemn Church Service.] *Thus He.* Now this variety of faſhions only mentioned by *Fox* if you deſire more particularly to know; we find a more punctual relation thereof in *Parſons* 3. *Converſ.* of *England*, 2. Part, 12. Chapter. 'What a Babylonical confuſion (ſaith he) in the two firſt 'years of the Kings Reign enſued upon theſe innova- 'tions in all Churches, is wonderful to recount. For 'ſome Prieſts ſaid the Latine Maſs; ſome the Engliſh 'Communion; ſome both; ſome neither; ſome half 'of the one, half of the other. This was very ordinary, 'to ſay the *Introitus & Confiteor* in Engliſh; and then 'the Collects, and ſome other parts in Latine: after 'that again, the Epiſtles and Goſpels in Engliſh, and 'then the Canon of the Maſs in Latine; and laſtly the 'Benediction and laſt Goſpel in Engliſh. But that which 'was of more importance and impiety; ſome did con- 'ſecrate Bread and Wine, others did not: but would 'tell the people before-hand, That they would not con- 'ſecrate, but reſtore them their Bread and Wine back 'again, as they received it from them; only adding 'to it the Church's benediction. And thoſe, that did 'conſecrate, did conſecrate in divers forms; ſome aloud, 'ſome in ſecret; ſome in one form of words, ſome in 'another. And, after Conſecration, ſome held up the 'Hoſt to be adored after the old faſhion, and ſome did 'not; and, of thoſe that were preſent, ſome did kneel 'down and adore, others did ſhut their eyes, others 'turn away their faces, others run out of the Church 'crying *Idolatry*. *Hitherto* Parſons. View alſo Dr. *Hey-* '*lin's Hiſt. of Reform.* p. 63. 74. concerning this matter. Whereby we ſee how averſe and unſatisfied divers of the Clergy were with the Kings alterations.

§. 122. And this not only before his new Liturgy is ſaid to be confirmed by Act of Parliament and Convocation; but after alſo. For afterward we find the King and his Council, in their Letter to the Biſhop of *London*, *Fox* p. 1186. complaining: 'That it was no ſmall occa- 'ſion

'ſion of ſorrow unto them to underſtand by the com-
'plaints of many that the ſaid Book, ſo much travelled
'for, remaineth in many places of the Realm, either
'not known at all, or not uſed; or if uſed, very ſel-
'dome; and that in ſuch a light and irreverent ſort,
'that *&c.* The fault whereof [*ſay they to the Biſhop*]
'we muſt of reaſon impute to you, and others of your
'vocation. And thus *Fox* in the ſame Page. 'What
'zealous care was in this young King concerning Re-
'formation by theſe Injunctions it may right well ap-
'pear. Whereby we have to note not ſo much the care-
'ful diligence of the King and his learned Council, as
'the lingring ſlackneſs and drawing back on the other
'ſide of divers, but eſpecially of Biſhops, and old Po-
'piſh Curates [*he meaneth the Clergy, ſuch as had not*
'*been changed by King* Edward:] by whoſe cloaked
'contempt, wilful winking, and ſtubborn diſobedience
'the Book of Common Prayer was, long after the pub-
'liſhing thereof, either not known at all; or elſe very
'irreverently uſed throughout many places of the Realm.
And the ſame thing may be collected from the many Ri-
ſings in ſeveral Counties, that were in King *Edward*'s
days, chiefly for matter of Religion. Firſt in *Somerſet*-
ſhire and *Lincoln*-ſhire; then in *Eſſex*, *Kent*, *Suffolk*,
Norfolk, *Cornwal*, and *Devon*-ſhire; and afterward alſo
in *York*-ſhire. Which Riſings of the Laity in ſuch num-
bers for their former way of Religion would not have
been, had not their Clergy juſtified it unto them.

To theſe give me leave to add yet further the teſti- §. 123.
mony of Biſhop *Ridley*, one who knew well the pulſe
of thoſe times, in his Treatiſe, lamenting the State of
England, *apud Fox* p. 1616. 'Even of the greateſt Ma-
'giſtrates (ſaith he) ſome ſpurned privily; and would
'not ſpare to ſpeak evil of thoſe Preachers, who went
'about moſt wholſomely to cure their ſore backs. As
'for the common ſort of other inferiour Magiſtrates,
'as Judges *&c*, it may be truly ſaid of them, as of the
'moſt part of the Clergy, Parſons, Prebendaries, Arch-
'Deacons, Deans, yea and I may ſay of Biſhops alſo; I

'fear me, for the moſt part (altho I doubt not, but 'God had, and hath ever whom he in every ſtate know-'eth to be his) but for the moſt part, I ſay, they were 'never perſwaded in their hearts, but from the teeth 'forward, and for the Kings ſake, in the truth of Gods 'word [i. e. *in the Proteſtant tenents*;] and yet all 'theſe did diſſemble [*he meaneth* many, *for of all it is* '*not true.* See before §. 107.] and bear a Copy of a 'countenance, as if they had been found within. *Hither-to Biſhop* Ridley. Where note; that ſome outward compliance, at the firſt, of thoſe Biſhops, who made an open oppoſition afterward, might be upon a fair pretence; becauſe the firſt Acts of the Reformation might be not ſo unſupportable, as the later: for the Reformation winded and inſinuated it ſelf into the common practice by certain gentle degrees; the greateſt blow to the former doctrine and diſcipline of the Church being given in the later times of this Kings Reign, when it was now by ſome ſucceſs grown more bold and confident. But however it be; ſuch compliance, uſed for a while, but afterward renounced, does avail nothing the Proteſtant cauſe: ſince the later judgment in ſuch matters is to be taken; eſpecially where it is no way corrupted by, but proceedeth againſt, ſecular advantages. Again; the perpetual outward compliance of ſome other Biſhops contrarily affected, ſince there preceded before it penalties, and fears, and the ſeeing of the prime Biſhops to be impriſoned and ejected for ſtanding out, is far from an authentical conſent, and unjuſtly reckoned as ſuch. For tho none can know mens hearts but by their outward appearance; yet where mens votes are asked after penalties, impriſonments of others, threats *&c*; which are ſo ſtrong motives of diſſimulation: now all that conform in theſe, are to be preſumed compliers; and none free voters.

§. 124. This teſtimony of Biſhop *Ridley*'s I will ſecond with Mr. *Fuller*'s *Chur. Hiſt.* 7. l. p. 414. 'We find (ſaith 'he) the Biſhops [*of that time*] divided into three ſorts, 'zealous Proteſtants, *Cranmer*, *Ridley*, *Hooper*, *Farrer*, &c.

'&c. [*but theſe named were made Biſhops, or conſecrated (as* Ridley*) in King* Edward*'s time, all ſave* Cranmer]: 'Zealous Papiſts, *Bonner*, *Gardiner*, *Tonſtal* [*he might have named ſo many of the reſt, as were then ejected for their Religion*; Voicy, Heath, Day]: Papiſts in their hearts, 'but outwardly conforming to the Kings [*Eccleſiaſtical*] 'Laws; as *Heath* then Biſhop of *Worceſter* [*yet* Heath *was ejected*] and many other Biſhops [*amongſt whom, elſewhere he numbreth*, Sampſon *Biſhop of* Coventry *and* Lichfield, (*of whom* Godwin *in* Catalogue of Biſhops *ſaith*; 'That he began to ſhew himſelf a Papiſt in the 'ſecond year of King *Edward*, and was put out of the Preſidentſhip of *Wales*.) Capon *Biſhop of* Salisbury, Thirlby *Biſhop of* Norwich, Buckly *Biſhop of* Bangor; *add* Parfew *Biſhop of* Aſaph, Kitchin *Biſhop of* Landaff, Aldrich *Biſhop of* Carlile, Goodrich *Biſhop of* Ely, Chambers *Biſhop of* Peterborough, King *Biſhop of* Oxford; *who all returned to the profeſſion of the old Religion in Queen* Mary's *days*. 'Some of theſe forenamed flinging up a 'good part of their lands to keep their ground, and com- 'plying with the Kings commands ſo coldly and with 'ſuch reluctancy, as laid them open to the ſpoil, tho 'not to the loſs, of their Biſhopricks, as Dr. *Heylin* relates it in *Hiſt.* of *Reform.* p. 100.] 'And here it is wor- 'thy of enquiry (ſaith *Fuller*) why this later ſort, which 'ſo complyed under King *Edward*, ſhould be ſo ſtubborn 'and obſtinate under Queen *Elizabeth*: whereof I can 'give but this reaſon aſſigned; that growing old and 'near their graves they grew more conſcientious and 'faithful to their own (tho erroneous) Principles. *Thus he.* I add; *to the open maintaining of which Principles, their long experience, having ſeen the arbitrary and floating ſtate of Religion under a ſecular Supremacy, in their old age excited them.*

S. *l. p.* 11.

Laſtly, for the inferior Clergy, tho many of them doubtleſs were changed in King *Edward*'s days: yet ſo many of them then remained ſtill of the old Religion, either in heart, or alſo in profeſſion, that a Synod being called within five or ſix days after Queen *Mary*'s Coro-

§. 125.

Coronation, before any new moulding of this Eccleſiaſtical body, all of them, except ſix, voted againſt King *Edward*'s Reformation: See before §. 51. To which may be added the zeal and forwardneſs of the Clergy and People at the ſame time preventing the Queen's Edicts, in erecting again the Altars, and uſing the Maſs and Latine Service *&c.* (of which ſee *Heylin Hiſt. Q. Mary*, p. 24.) All which could not have happened ſo ſoon after King *Edward*'s death, if during his life they had all ſo really and unanimouſly received and obſerved it. Which Reformation alſo the Lady *Mary*, in her Letter to the Council, who blamed her for inconformity to the Kings laws, intimates; that it was not done without partiality, nor conſented unto without compulſion. See *Fox* p. 1212. 'I have offended no 'law (ſaith ſhe) unleſs it be a late law of your own ma-'king, for the altering matters of Religion: which is 'not worthy to have the name of a Law; both for *&c.*, 'and for the partiality uſed in the ſame. But I am well 'aſſured, that the King his Fathers Laws were all al-'lowed and conſented to, without compulſion, by the 'whole Realm, both Spiritual and Temporal *&c.* Thus the Lady *Mary*, *An. Dom.* 1549. which calls to my remembrance what Mr. *Fox* ſaith in commendation of the Protector: *That, in the firſt conſultation about Religion had at* Windſor, *he, in the zealous defence of Gods truth, oppoſed the Biſhops.* I have here on purpoſe thrown together thus many teſtimonies; to give you a fuller view of the Clergy's temper in the time of thoſe innovations; and to manifeſt the more, how neither the Prelates (except thoſe new ones, whom King *Edward* advanced); nor the inferiour Clergy, neither at firſt, nor at laſt, were ſo conforming to the Kings proceedings, as is pretended out of the charge againſt *Wincheſter*, *That the Injunctions were by all of all ſorts obediently received* &c.

See before §. 104.

§. 126. 1. *To* θ. To θ. Firſt; That whereas there was many Acts of Reformation from time to time ſet forth by King *Edward*; we do not find, that the major part of the Clergy, in any Convocation or Synod before the fifth year

year of the Kings Reign, is pretended to have conſented to any of them, ſave one; namely the new Form of Common-Prayer and Adminiſtration of the Sacraments, in the ſecond year of the King: and that conſent was alſo had after this Book was, firſt, paſſed and made a Law by Act of Parliament; as may be gathered: 1. Both by the Act, which mentions only the compoſing of this Book by Biſhops and other Learned men (which were in all fourteen, whereof ſeven Biſhops; two of which were *Cranmer* and *Ridley*) but not any concurrence or authority of a Synod. (But, had the decree of Synod preceded the Act of Parliament; this, which was more, would rather have been mentioned, than the other, which was leſs.) and which Act alſo *by vertue of it ſelf*, ſee before §. 40. not of any Synodical Act, confers authority on the Clergy to excommunicate the Oppoſers of this Common-Prayer-Book. 2. And by the manner of ſending to the Clergy the ſecond reformed Common-Prayer-Book in the fifth year of King *Edward*; which was *authoritate Regis & Parliamenti*; as you may ſee in the 36 of the 42 Articles, *Liber qui nuperrime authoritate Regis & Parliamenti Eccleſiæ* Anglicanæ *traditus eſt, ſimiliter & libellus eâdem authoritate editus de* Ordinatione Miniſtrorum *quoad doctrinæ veritatem pii ſunt* &c. Which ſtile differs much from either of theſe, *A Rege & Parliamento Eccleſiæ* Anglicanæ *traditus*; *i. e*, that it might be eſtabliſhed by the Church's authority; or; *Ab Eccleſiâ* Anglicanâ *Regi & Parliamento propoſitus*, *i. e*, that, being eſtabliſhed by the Church, it might be enjoyned alſo, under temporal puniſhments, by the State Laws. Neither do the words following in that Article (ſee them recited before §. 110.) Expreſs any authoritative ratification, but only a ſingle teſtimony of their judgment concerning thoſe Forms; or ſay any thing which any other perſon, void of authority, may not uſe. Now of this conſent of the Convocations, *An.* 1549. to the Act of Parliament, and to the draught of the fourteen Compoſers of *the firſt Common-Prayer-Book*, a chief motive, (beſides fear of puniſh-

1.

2.

See Heylin *Sect* 5.? 30.

puniſhment in diſobeying the King and Parliaments Injunctions or Laws,) was, as I conceive, this; becauſe this new Form contained in it only the omiſſion of ſome former practices of the Church (as likewiſe the later Common-Prayer-Book more omiſſions) but no declaration againſt any former Church-practice or Doctrine; of which I ſhall ſay more by and by. And had King *Edward*'s Reformation been content to have ſtaid here, it had been much more tolerable (tho theſe omiſſions I excuſe not, as faultleſs, or not offending againſt former Church-Canons:) But his Reformation proceeded much further, to the condemning alſo of the Church's tenents and practice; which cannot be ſhewed to have been ratified by the firſt Clergy of King *Edward* till the fifth year of his Government; of which I ſhall ſpeak hereafter. But, as for any other conſent of the major part of the Biſhops or Clergy, proved to be yielded to the Kings other Injunctions, from the paucity of the number of thoſe who were impriſoned, or ejected, in compariſon of the reſt; the argument is not good. *Firſt*, Becauſe many more might diſſent, and refuſe obedience thereto, then were ejected or impriſoned or queſtioned for it. *Might?* Nay did diſſent; for the Parliament beggeth their pardon; ſee before §. 120: and it is accounted a prudent policy of State, where very many are guilty, only to puniſh ſome of the chief for Example ſake. *Secondly*, And again many more might be ejected, or queſtioned for this, than are by name mentioned in *Fox* or others: and were ſo; if you conſider the teſtimonies before cited. *Thirdly*, But ſuppoſe only a few of the Clergy impriſoned or ejected; yet as, where all the reſt unanimouſly accord, this reſtraint of a few changeth not the Church-affairs: ſo when ſuch a body is divided, and all the reſt are not of one mind; this withdrawing of a few, eſpecially if theſe be the prime Leaders, and the introducing of ſo many new voters, who are of a contrary perſwaſion, into their rooms, (ſuppoſe, taking away ſix old Biſhops, and putting ſix new ones in their places) may render that, which was before a major

See §. 157.

major and the more prevalent, now a leſſer and a weaker, part; and conſequently, if they be unjuſtly withdrawn, will render the Act of this major part invalid.

Secondly, That ſubmittance of Convocation to the new Form of Common-Prayer *&c.* may not be reckoned for a lawful Synodical Act; becauſe of the violence uſed formerly upon the Clergy, inforcing, as other Eccleſiaſtical Injunctions of the King, ſo alſo, the new Form of Communion, before it was propoſed to any Parliament or Convocation; for proof of which I refer you to the former teſtimonies; that I may ſpare the *tædium* of repeating them. But what the inclinations of the old Clergy were (for I ſpeak not of the new induced by little and little into their places by King *Edward*) if the hand of violence and threats of a new law-giving civil-power had been removed from them (touching which ſee their ſad complaint before §. 47) may be gathered, 1. both From what they did immediately before King *Edward*'s days in their eſtabliſhing by Convocation *the Six Articles*; and *the Neceſſary Doctrine*: And 2. From what they did in King *Edward*'s days; in the very beginning of which Arch-Biſhop *Cranmer* called a Synod of them, wherein he endeavoured to have effected a Reformation, but could not: See *Antiquit. Brittan.* p. 339. And you ſee by the Teſtimonies forecited, how many ſuffered for oppoſing the Kings Injunctions, and particularly this new Form of Common-Prayer; and how many more of the old Clergy are ſaid to have oppoſed them in every place, where they might hope for impunity; (inſomuch as that this Book in many places was not ſo much as heard of:) and how a major part even of the Biſhops are by Proteſtants confeſſed in their conformity only to have uſed an outward compliance and diſſimulation. Laſtly 3. From what they, ſo many as remained of them, did immediately after King *Edward*'s time, ſo ſoon as this Yoke of fear was removed in the entrance of Queen *Mary*: at which time they threw-off their former vizards; and plainly renounced not only the reſt of the Reformation, the fruit;

6. 1. 7. 2.

31. Hen. 8. 14. c.

but alſo the Regal Supremacy (i. e, *quoad talia)* the root. Nor could fear, when the Sovereign power re-changed, ever make them (taught by long experience) to take up again their former diſguiſe: amongſt whom the major part of thoſe ſeven Biſhops choſen to compoſe the new Common-Prayer-Book, who ſurvived to Queen *Mary*'s days, namely *Day*, *Thirlby*, and *Goodrich* (*Skyp* Biſhop of *Hereford*, and *Holbeck* Biſhop of *Lincolne* being dead before) deſerted this new Form, and returned again to the Maſs. And it is probable, that ſome of thoſe Biſhops, who by Queen *Mary* were ejected for Marriage (ſome of them even after a Monaſtick profeſſion) conformed themſelves likewiſe to the old Religion: becauſe tho they lived here at home in ſo inquiſitive and ſevere times, we find not, that they were reſtrained, or proceeded againſt as Hereticks. Such were *Holgate*, *Bird*, *Buſh*, &c.

§. 128. Now; ſince ſuch were the inclinations of all or moſt of King *Edward*'s firſt Clergy; and to be ſwayed only from the profeſſion thereof by fear: no marvel, if his Council went about reforming (at the firſt) by vertue of the new Supremacy, before the calling of any Synod; ſave that wherein Arch-Biſhop *Cranmer* was fruſtrated of his intentions. And Dr. *Fern*, *Exam. Champ.* 2. c. §. 8. makes this Apology for ſuch proceeding. 'That 'Reformation of Gods worſhip may be warrantably 'done without a foregoing Synodical vote; where there 'is juſt and apparent cauſe of fearing more danger from 'the perſons, which are to be convocated, and the times 'wherein they are to aſſemble. To which purpoſe '(ſaith he) ſounds that known complaint of *Nazianzen*, *That he ſaw no good end of Councils* [*ſpoken by reaſon of the prevailing faction of the* Arrians *in his time*] We can-'not ſay the Sovereign Prince is bound in the way of 'prudence always to receive his directions from a vote 'in a Synod; eſpecially where there is juſt cauſe of fear [*I ſuppoſe, that he means* Fear, *that the Synod will go contrary to what the Prince thinks to be right:*] but he may 'have greater reaſon to ask advice from perſons free from

'the

'the exceptions of factious intereſts; to which the 'moſt of them that ſhould meet are apparently obnoxi- 'ous. And (ſaith he) how far this was conſiderable 'in the beginning of King *Edward*'s Reign [i. e, *till the King had otherwiſe moulded the Members of the Synod*] 'or whether ſuch fear made them forbear to put it at 'firſt to a Synodical Vote, I cannot ſay. Thus Dr. *Fern.*

And much-what in the ſame manner doth Dr. *Heylin*, *Eccleſ. Vindic.* 2. Par. 5. §. p. 82. diſcourſe of King *Edward*'s Reformation (to ſhew you, that our modern Writers are not without ſome apprehenſion of the neglect of the Church authority in it.) 'Which reviving '(ſaith he) of the ancient Forms of Gods worſhip rather 'than the introduction of a new, as the King [*Edward*] 'did here in *England* by his own authority, the body 'of the Clergy not conſulted in it; ſo, poſſibly, there 'might be good reaſon, why thoſe, who had the con- 'duct of the Kings Affairs, thought it not ſafe to put 'the managing of the buſineſs to a Convocation; [*and then having ſhewed that ſuch change of Religion would be both againſt the reputation and profit of the Clergy, he goes on.*] So that as well in point of reputation, as of profit, 'beſides the love which many of them had to their for- 'mer *Mumpſimus*, it was moſt probable; that ſuch an 'hard piece of Reformation would not eaſily down, had 'it been put into the power of a Convocation; eſpeci- 'ally under a Prince in nonage, and a State unſettled. *Thus he.* As for that which afterward he ſaith: *That this was paſſed by the Biſhops, when it paſſed in Parliament, the Biſhops making the moſt conſiderable part of the Houſe of Peers*, It is anſwered by what hath been ſaid before §. 11. n. 2. And what he ſaith, *That all was confirmed by the Clergy on the Poſt-fact in the Convocation of* 1552. ſhall be anſwered by and by. See likewiſe what the ſame Dr. ſaith on the ſame ſubject in 1. Par. 6. §. p. 36; where, after doubting, whether ſeveral particulars of King *Edward*'s Reformation were done of the Kings meer motion, or by advice of his Council, or by Conſultation with his Biſhops; (For (ſaith he) *there is little left* §. 129.

upon record of the Convocation of that time, more than the Articles of the year 1552) He ſpeaks alſo of Queen *Elizabeth*'s Reformation done after the ſame ſort, 'Thus 'alſo (ſaith he) in Queen *Elizabeth*'s time, before the 'new Biſhops were well ſetled, and the Queen aſſured 'of the affection of her Clergy; ſhe went that way to 'work in the Reformation, which her two Predeceſſors '[*Henry* and *Edward*] had done before her, in the well 'ordering of the Church; ſhe publiſhed her Injunctions '*&c.* But when the times were better ſetled, and the 'firſt difficulties of her Reign paſſed over; ſhe left 'Church-work to the diſpoſing of Church-men: who 'by their place and calling were moſt proper for it; 'and they being met in Convocation did make Canons '*&c.* And thus if a Prince, according to the Sect which himſelf and his Council favours, may take the liberty, with coactive power, to reform at the firſt againſt his Clergy: he, within a ſhort time no doubt, may ſecurely *leave the Church-work to Church-men* (as the Dr. ſaith) and juſtify his Reformation by his Clergy, that is, either changed firſt; or terrified.

§. 130. *To x.* To *x*. Theſe two I grant differ little. 1. The Clergy's firſt motioning to the King, 2. or, The King's firſt motioning to the Clergy, a Reformation of ſomething in Doctrine or Manners; ſo that the Clergy, uncompelled or forced by the King, eſtabliſh it, before it be enjoyned, or impoſed on, any, to be obſerved. But this following differs from the former *toto cœlo*: *viz.* When the King, directed by ſome particular Biſhops, (whom he thinks good to adviſe with) propoſeth to the Clergy a Reformation in Doctrine, not to be conſulted on by them and their judgment to be exhibited to him; (upon the aſſent or denyal of a major part of whom, as having in theſe things the legiſlative power, ſuch Reformation may be eſtabliſhed or laid aſide) but to be obeyed and ſubmitted to by the Clergy; as the King having the legiſlative power in theſe things by his Eccleſiaſtical Supremacy; to be *obeyed* and ſubmitted to by them, upon penalties of ſuſpenſion, impriſonment, depri-

deprivation, *&c.* and when upon this in the iſſue (after ſome of the Clergy puniſhed) the reſt do conform to the Kings commands. Now which of theſe two were the proceedings of King *Edward*; I refer the matter to the Story of thoſe times, and the teſtimonies above produced.

First, And note here, 1. That tho the whole Clergy ſhould have ſubmitted to ſuch a Reformation; yet cannot it be ſaid to be their authentick Act at all; or to be done, but ſuffered, by them: as long as anothers command and force comes in; eſpecially, where an after departure of a many of them ſhews us, that their former compliance was feigned. 2. That tho the ſubmittance of the whole Clergy to ſuch a Reformation had been *ex animo* and voluntary; yet this rendereth not the former Impoſition or Injunction of the King lawful or obligatory: the lawfulneſs or unlawfulneſs of which cannot depend on an after caſual event. For I ask: Suppoſe the Clergy generally had oppoſed them, were theſe Injunctions juſtly impoſed upon them by the King or not? If not; Then neither were they juſtly impoſed, tho the Clergy had conſented; becauſe impoſed before they conſented, whoſe conſent is held neceſſary, that they may be juſtly impoſed. But, if juſtly impoſed; then why is the Clergy's conſent or reception of ſuch Injunctions at all urged here to juſtify them? Suppoſe a Prince ſhould firſt decide ſome Theological Controverſy; and then require ſubmiſſion thereto, juſt on the ſame ſide affirmatively or negatively, as a Synod of the Clergy would have done both theſe; yet thus, he taketh their office not rightly; tho he manageth it not amiſs. And ſuch Act will not be allowable; becauſe to the juſtifying of an action two things are requiſite: That the thing be right which is done; That the perſon have lawful authority to do it. §. 131. 1. 2.

3. That the King or State never ſought-for, or pretended the Synods conſent, as authoritative to make the Kings or their Eccleſiaſtical Injunctions lawful or obligatory: but required the duty of their obedience §. 132. 3.

to

to theſe Acts of the Kings Supremacy; which Supremacy was confirmed both by the Clergy's Recognition and Oath. Which thing is ſufficiently manifeſted; in that many of the Kings Eccleſiaſtical Injunctions were ſet forth, and did exact the Clergy's obedience to them, before any Synods conſent given or asked; and when it was yet uncertain, whether a major part would approve, or condemn them. But, if you deſire further evidence thereof, I refer you to the matter delivered before, In §. 40, 41. *&c*; where you may ſee the Parliament Acts eſtabliſhing ſuch Laws, without pretending or involving any Synodal authority; nay giving authority by vertue of ſuch Act to the Clergy to execute ſuch Laws; and In §. 45; where you may ſee, why it was neceſſary, according to their principles, that they ſhould do ſo; and In §. 45; where you may ſee, the obedience thought due in theſe matters to the regal Supremacy, and the edicts iſſuing from it, required to be ſubſcribed by *Wincheſter*: and In §. 47; where you may ſee the deſcription of the exauctorated State of the Clergy in thoſe times; and In §. 103; where you may ſee the uſual ſtile of *Henry* the Eighth (whoſe Supremacy was no way remitted by his Son); and In §. 107. *&c.* and, §. 113. the practice of *Edward* the Sixth; which yet will be further declared in the following inſtances of his Supremacy. When therefore the conſent of Synod or Convocation is urged, to the people or to ſome ſingle perſon, by the King, or his Council; it is not urged, as an authority (ſee the reaſon §. 45.) which theſe, as ſubject to their decrees, ought to obey; but as an example, which theſe, as leſs knowing, ought to follow. But if the bare mentioning ſometimes of the Clergy's conſent argues this then thought neceſſary to the eſtabliſhing of ſuch decrees; then would the mentioning of the conſent of Parliament argue as much, which is urged together with that of the Clergy; and ſo no Eccleſiaſtical Acts of the King and Clergy would be obligatory, unleſs confirmed by Parliament. But this will deſtroy the authority of the 42 Articles made in the fifth year

of

of King *Edward*; ratified by no Parliament.

To λ the Anſwer is prepared out of what hath been already ſaid to θ. That, before there had been any force uſed upon the Clergy, a Reformation was endeavoured in a Synod by Arch-Biſhop *Cranmer*; but repelled. That the vote of a Convocation, after ſuch violences firſt uſed, after Clergy reſtrained or changed, is not to be reckoned free. That the major part only outwardly complyed for fear, as is confeſſed by Proteſtants; and ſeen both in their former decrees under King *Henry*; and in their ſuddain recidivation (I mean the Clergy not introduced by King *Edward*) under Queen *Mary*. That this conſent of Convocation can only be urged for the Common-Prayer-Book; but not for other parts of the Reformation: which new Form of Common-Prayer omitted rather than gain-ſaid the former Church-tenents and practice; and theſe omiſſions not ſo many in the former Book of King *Edward*, as in the latter. That this conſent of Convocation is not urged in the places cited as neceſſary to make the King and Parliaments Church-Conſtitutions valid; but as exemplary, to make others more conformable to them. That the Biſhops that framed this new Form of publick Service, were but ſeven: whereof thoſe who ſurvived till Queen *Mary*'s time, except *Cranmer* and *Ridley*, returned to the Maſs. §. 133. *To* λ.

To μ. Firſt, Whether there was indeed any ſuch Synodal Act, as is here pretended in the times of King *Edward*, ſhall be examined hereafter. But Secondly, Suppoſing, for the preſent, that there was ſo; I anſwer, (beſides that which is ſaid in the Reply to λ and θ appliable to this;) That by this time the Clergy was much changed, according to Mr. *Fox*'s deſcription made thereof before §. 107; a many new Biſhops introduced by King *Edward*; ſeveral old ones diſplaced; ſo that now, after the State's five years reforming, *Church-work* (to uſe Dr. *Heylin*'s Phraſe) *might* more ſecurely *be committed to Church-men*: Yet that many alſo then, for fear of the times, either abſented themſelves from this §. 134. *To* μ.

this Synod; or in the Synod were guilty of much diſſimulation; as appears by their contrary votes ſoon after in the beginning of Queen *Mary*. See before §. 51.

§. 135. *To v.* To *v.* I anſwer, That if ſuch Synodal Acts were of the right Clergy, and their Acts voluntary and unforced; the Reformation here in *England* from the time of ſuch Synods, was, as to this authority, regular and canonical; till reverſed by the like authority. But then this Reformation, as it is ſuppoſed to be made by the Clergy, is void upon another account; *viz.* as being contrary to the former definitions of lawful ſuperiour Councils; as may be ſeen in the ſeveral decrees of thoſe Councils (ſet down in *Chur. Govern.* 4. Part) compared with theſe 42 Articles, and the Homilies approved by them.

CHAP. IX.

Continuation of the ſame, deſcending to Particulars: And of his firſt Change of the Publick Liturgy.

§. 136. H. *More particularly* HAving thus deſcribed in general the way of King *Edward*'s Reformation, and exerciſing his Supremacy, and partly examined the Apologies made for it: we will now proceed to nominate to you the ſeveral particulars of his Reformation; which is uſually covered under the name of alteration only of ſome *Rites* and *Ceremonies*; as if the Doctrines of the Church ſuffered no change under him.

In ſending certain doctrinal Articles to be ſubſcribed by the Biſhop of Winchester. By vertue of ſuch Supremacy then were ſent thoſe Articles to the impriſoned Biſhop of *Wincheſter*, to be ſubſcribed; containing ſeveral points of Doctrine, or practice involving Doctrine; (ſome of which have been named before §. 45.) *propoſed to his Subſcription*, not as matters paſſed by any former Synod; but (ſaith the twen-

twentieth Article) *as published and set forth by the Kings Majesty's authority, by the advice of his Highnesse's Council, for many great and godly considerations.* *Fox* p. 1235. Which Articles the Bishop is required there to subscribe, publish and preach; upon the pain of incurring such Penalties, for not doing the same, as may by his Majesty's laws be inflicted upon him.

§. 137. *In repealing the Six Articles passed by Synod in* Hen. 8. *time.* *Stat.* 31. Hen. 8. 14. c. Fox *p.* 1036

By vertue of such Supremacy the Six Articles (which contained matter of Doctrine and Faith, and that in things of no small moment; and which, being determined, and the observance of them enjoined as well by a Synod, as a Parliament, justly stand in force, till a revocation of them by another Synod of like authority) were repealed in the beginning of King *Edward*'s Reign without any such Synod; see Stat. 1. *Edw.* 12. c. and the Members of the Church of *England* freed from any further obedience to them. By which it now became free for any, tho having formerly made contrary vows, to Marry, to omit sacerdotal Confession, to preach against the Real Presence, and the Sacrifice of the Mass; contrary to the decrees of former Councils, and this National Synod.

§. 138. *In seizing on Religious houses and some Bishops lands, and denying the lawfulness of Monastick Vows.*

By vertue of such Supremacy this King (I mean always the Council in the Kings name, and by his authority) not only justified the power used by his Father over the possessions of Monasteries and Religious Houses; but declared also Monastick Vows to be unlawful, superstitious and unobliging. Therefore the first Article drawn up for *Winchester*'s Subscription was this, 'That the late King *Henry* the Eighth justly and of good 'reason had caused to be suppressed and defaced all Mo- 'nasteries, Religious Houses, *&c.* and, That the same 'being so dissolved, the persons therein bound and pro- 'fessed to obedience to a person, place, habit, and other 'superstitious Rites and Ceremonies, are, upon that or- 'der appointed by the Kings Majesty's authority, as 'Supreme Head of the Church, clearly released and ac- 'quitted of those Vows and Professions, and at their full 'liberty, as tho those unwitty and superstitious vows

'had never been made. *Thus the Article.* And hence it was, that ſome, formerly Monaſticks, in King *Edward*'s days married Wives; but this Doctrine his Supremacy did deliver, contrary to the Doctrine which his Father's Supremacy publiſhed: See before §. 95. This King alſo continued his Fathers practice, in ſeizing upon that piouſly devoted means, which his Fathers ſuddain death, after the conceſſion of them by Parliament, had left undevoured: I mean Chaunteries, Free-Chappels, Colledges, Hoſpitals, *&c.* See Stat. 1. *Edw.* 6. 14. c. But this he did upon another pretence than his Father; by reaſon that his Doctrine herein varied from his Fathers: His pretence being, *the unlawfulneſs of offering the Sacrifice of the Euchariſt, or giving alms, for the defunct*; but his Fathers pretence, who in his Doctrine juſtified theſe, being quite another; as you may ſee before, §. 92. And therefore the ſecond Act of Parliament in his, and in his Fathers time, that agree alike in the donation of theſe Revenues, yet vary in their prefaces and motives.

Stat. 37. H. 8. 4 c. 1. Edw. 6. 14. c.

But in this he went beyond his Father; that He began the taking of Biſhops lands alſo: Sacriledge, now after the gain thereof was grown ſweet, keeping no bounds. After therefore that learned and vertuous Prelate *Tonſtal* (left by his Father one of his Governors) ejected, He (I mean his Council and Courtiers; for happy was that King of his Child-hood, that it preſerved him unblameable for theſe things) ſeized upon that rich and tempting Biſhoprick of *Durham*. Of which thus Biſhop *Godwin*, 'The removing of theſe obſtacles [*the ejected* '*Biſhops*] made way for the invaſion of their Widow-'Sees. For as ſoon as *Tonſtal* was exauctorated, that 'rich Biſhoprick of *Dureſme* by Act of Parliament was 'wracked: the chief Revenues and Cuſtomes of it be-'ing incorporated to the Crown; and the reſt ſo guel-'ded, that at this day it ſcarce poſſeſſeth the third part 'of its ancient Revenues. The hungry Courtier find-'ing how good a thing the Church was, had now for 'ſome years become acquainted with it, out of zealous 'intent

§. 139.

'intent to prey. Neither could the horridneſs of her 'ſacred Skeleton as yet ſo work on him, as to divert 'his reſolutions, and compaſſionately to leave the Church 'to her religious poverty. Beſide, the infancy of the 'King, in this uncertain ebb and flow of Religion, made 'her opportune to all kind of Sacriledge. So that (ſaith 'he) we are to thank the Almighty Guardian of the 'Church, that theſe Locuſts have not quite devoured 'the maintenance of the labourers in this Engliſh Vine-'yard. *Thus he concerning that Biſhoprick*; who, had he lived in theſe days, might have ſeen the multiplied generation of thoſe Locuſts devour his own. Beſides *Dureſme*, (for any thing I can find) the Biſhoprick of *Rocheſter* after 1551 (when *Scory* was removed thence) and that of *Weſtminſter* after 1550 (when *Thirlby* was removed thence) were enjoyed by the Crown, until Queen *Mary*'s days; beſides that of *Worceſter* given in *Commendam* to *Hooper*, to exerciſe the Juriſdiction and Epiſcopality thereof, with ſome ſhort allowance for his pains, ſaith Dr. *Heylin*, *Hiſt. of Reform.* under *Edw.* 6. p. 101. In which Author alſo ſee the ſpoyl committed in thoſe days upon the Biſhopricks of *Bath* and *Wells* p. 54; of *Coventry* and *Lichfield*; of *Landaff*, of *Lincolne*, and others p. 100, 101. 129. and elſewhere. Sure, foul things were done in this kind in thoſe innovating times; becauſe I find even ſome of King *Edward*'s favourite-Biſhops highly to diſlike them. For Biſhop *Ridley* in his Treatiſe, *lamenting the State of England* 'relates how he and *Cranmer* were both in high diſplea- 'ſure [*with the great ones*] for repugning, (as they 'might well) againſt the late ſpoyl of the Church-goods, 'taken away only by commandment of the higher pow-'ers, without any law or order of Juſtice; and with-'out requeſt or conſent of them to whom they did be-'long. And *Calvin* in a Letter to Arch-Biſhop *Cranmer* written about *An. Dom.* 1551. giving a reaſon why the Engliſh Church was ſo ill ſtored with good Paſtors hath theſe words, *Unum apertum obſtaculum eſſe intelligo, quod prædæ expoſiti ſunt Eccleſiæ reditus.* So early you ſee, even

Apud Fox p. 1616.

together with the firſt dawning of the Reformation, began that Sacriledge to be committed on ſome Biſhopricks; which our days have ſeen accompliſhed on the reſt: Lay menders of Religion ordinarily terminating in theſe two things; the advancing of their carnal Liberty, and temporal Eſtates.

§. 140. *In defacing of Images.* By vertue of ſuch Supremacy, He 'cauſed to be removed out of Churches, and to be defaced and deſtroyed, all Images of Saints. Concerning which Reformation his Council writes to the Arch-Biſhop of *Canterbury* in this ſtile, 'We have thought good to ſignify unto 'you, that his Highneſſe's pleaſure with the advice and 'conſent of us the Lord Protector and the reſt of the 'Council is, that immediately upon the ſight hereof 'you ſhall give order, that all the Images remaining in 'any Church within your Dioceſs be taken away; and 'alſo by your Letters ſhall ſignify unto the reſt of the 'Biſhops within your Province this his Highneſſe's plea-'ſure *&c. Fox* p. 1183. See likewiſe Stat. 3. and 4. *Edw.* 6. 10. c. This he did when as the ſecond *Nicene Council* not only had allowed, but recommended the uſe of them. But he proceeded alſo further than this; and declared the worſhiping and veneration of any ſuch Images or Relicks to be repugnant to Gods word, and unlawful, ſuperſtitious, idolatrous. See the 22 of the 42 Articles; and Article to *Wincheſter* 11; and the Doctrine of his Homilies.

§. 141. By vertue of ſuch Supremacy, He impoſed (*An. Dom.* 1547) a Book of Homilies, not approved by any Synod before, nor after till 1552, if then; in which Book were ſtated ſeveral Controverſies of Divinity. See Article 11 of the 42 referring to theſe Homilies for the ſtating of Juſtification *ex ſolâ fide*; the King forbidding the Clergy to preach any Doctrine repugnant to the ſame Homilies, under pain of being ſilenced, or otherwiſe puniſhed. See before, §. 108. *Wincheſter* Articles 15. *Fox* p. 1235.

§. 142. *In injoyning adminiſtration of the Communion in both kinds.* By vertue of ſuch Supremacy, He laid a command upon the Clergy to adminiſter the Communion to the people

people in both kinds, contrary to the Injunction of the Council of *Conſtance*; and without any preceding conſultation of a National Synod; and notwithſtanding the former late decree concerning the non-neceſſity thereof by the ſame National Synod in *Henry* the Eighth's days, in the ſecond of the Six Articles. *Stat.* 1. Ed. 6. 1. *c. Concil.* Conſtant. 13. *ſeſſ.* *See before*, §. 118.

By vertue of ſuch Supremacy, He cauſed to be removed and ſuppreſſed the former Church Liturgies and Rituals for the publick Prayers, for the celebration of the Communion and other Sacraments, for the Ordinations of the Clergy. See *Fox* p. 1211. 'The King '(ſaith he) with the body and ſtate of the Privy Coun- 'cil then being, directed out his Letters of requeſt and 'ſtrait commandment to the Biſhops in their Dioceſs 'to cauſe and warn all Parſons, Curates, *&c.* to bring 'in and deliver up all *Antiphoners*, *Miſſals*, *Grailes*, *Pro-* '*ceſſionals*, *Manuals*, *Legends*, *Pies*, *Ordinals*, *&c*; and 'all other Books of Service, the having whereof might 'be any let to the Service now ſet forth in Engliſh; 'charging alſo and commanding all ſuch as ſhould be 'found diſobedient in this behalf to be committed unto 'ward. Saying in the Articles ſent to *Wincheſter*, Fox p. 1235. 'That the Maſs was full of abuſes, and had very few 'things of Chriſt's inſtitution, beſides the Epiſtle, Goſ- 'pel, and the Lord's Prayer, and the words of the Lord's 'Supper: that the reſt for the more part were invented 'and deviſed by Biſhops of *Rome*, and by other men 'of the ſame ſort [i. e. *by Eccleſiaſtical Conſtitution*] 'and therefore were juſtly taken away by the Statutes 'and Laws of this Realm [*this being the perſwaſion of thoſe times*, *That the King as Supreme might change*, *as to him ſeemed good*, *any thing eſtabliſhed only by humane-(tho it were Church-) authority.*] And ſee Stat. 3, 4. *Edw.* 6. 10. c. 'Whereas the King hath of late ſet 'forth and eſtabliſhed an uniform Order of Common- 'Prayer *&c*; and whereas in the former Service-Books 'are things corrupt, untrue, vain, and ſuperſtitious: 'Be it enacted by the King, the Lords Spiritual and 'Temporal, and the Commons in this preſent Parliament

§. 143. *In ſuppreſſing the former Church Liturgies, Ordinals, and other Rituals.*

'ment aſſembled, that all *Miſſals*, *Ordinals*, *&c.* here-
'tofore uſed for Service of the Church ſhall be utterly
'aboliſhed, extinguiſhed, *&c.*

§. 144. *And in ſetting up new Forms of celebrating the Communion.*

But you muſt obſerve that all was not done at once, or at the firſt, but by certain ſteps and degrees. For Example. The Form of adminiſtring the Communion ſuffered three Alterations or Reformations one after another; the later ſtill departing further from the ancient Form uſed in the Church than the former. Firſt the King aſſembled certain Biſhops and others at *Windſor* in the firſt year of his Reign (ſuch as he pleaſed to appoint) to compile a new Form of celebrating the Communion *according to the Rule* (ſaith *Fox* p. 1184.) *of the Scriptures of God, and firſt uſage of the Primitive Church.* Yet the Biſhops at this time ſo ordered and moderated the matter (which perhaps may be the reaſon of thoſe words in *Fox* ſee before §. 125. *That the Protector at* Windſor *in the zealous defence of Gods truth oppoſed the Biſhops*) that the whole office of the Maſs ſhould proceed as formerly in the Latine, even to the very end of the Canon, and the receiving of the Sacrament by the Prieſt himſelf. Which done the Prieſt is appointed to begin the exhortation in Engliſh. [*We be come together at this time Dearly Beloved &c.*] as it is in the preſent Engliſh Liturgy. After which follows alſo the diſſwaſion of great offenders impenitent from receiving, the General Confeſſion and Abſolution, the Prayer [*We preſume not &c.*] and ſo the adminiſtration of the Euchariſt to the people in both kinds. The words of the Rubrick in that firſt Order of the Communion reprinted at *London* 61 are theſe, 'The time of the Communion [*of the people*] ſhall be 'immediately after that the Prieſt ſhall have received 'the Sacrament, without the varying of any other Rite 'or Ceremony in the Maſs (until other order ſhall be 'provided.) But as heretofore uſually the Prieſt hath 'done with the Sacrament of the Body, to prepare bleſs 'and conſecrate ſo much as will ſerve the people, ſo it 'ſhall yet continue ſtill after the ſame manner and form; 'ſave that, he ſhall bleſs and conſecrate the biggeſt Cha-

See Heylin *Hiſt. of K.* Edw. *f.* 57.

'lice

'lice or ſome fair and convenient Cup or Cups full of 'Wine with ſome water put unto it, and that day, not 'drink it up all himſelf; but taking one only ſup or 'draught leave the reſt upon the Altar covered, and 'thus exhort the people, *Dearly beloved* &c. *Thus the 'Rubrick.* 'And this Form (as Mr. *Fox* goes on) ex-'hibited unto the King was by his Majeſty's Council 'particularly ſent to every Biſhop of the Realm, re-'quiring and commanding them, by their Letters on 'the Kings Majeſty's behalf, that they ſhould forthwith 'have diligent reſpect to the due execution thereof *&c.* 'In which Letter the motive urged by the Council why 'this new Form was drawn up and impoſed, is; That 'the Statute of the former Parliament, ordering that 'the Sacrament ſhould be diſtributed unto the people 'in both kinds, might be well executed, in ſuch ſort 'as is agreeable with the word of God [*as if for the diſtribution of the Sacrament in both kinds there was any need of altering or ſuperadding any thing to the Maſs; when as, with that ſame Form of the Maſs it was in the publick Communions, for many Centuries, only ſo diſtributed; and when as that ſame Form of the Maſs is urged by Proteſtants, as contrary to communicating the people only in one kind; but the true cauſe of altering it I ſhall ſhew you by and by.*] Now this new Form was thus impoſed by the King and his Council, before allowed by any Synod of the Clergy, or Act of Parliament; which were procured afterward in the ſecond Parliament of King *Edward.* Meanwhile ſuch alterations in King *Edward*'s time about the Doctrine and the Adminiſtration of this Sacrament as they were uncanonical, ſo they were, in this reſpect, alſo very hurtful; in that they occaſioned (in the ignorant eſpecially) much profaneneſs and irreverence toward the Bleſſed Sacrament in thoſe days; as you may partly alſo gather from an Act (1. *Edw.* 6. 1. c.) made againſt ſuch irreverent ſpeaking againſt it. For whereas the Sacrament was, according to ancient cuſtome, delivered to each Communicant in a ſmall round Wafer, hence they gave it the name of *Round-Robin.* And becauſe the parts

parts thereof, that were reſerved to be carried to the ſick, were hanged up over the Altar in a Pix or Box; they named it *Jack in a Box*; and inſtead of the Sacrament of the Altar, called it *the Sacrament of the Halter.* (See *Heylin's Hiſt. of Reform.* 49. 63.) Such profaneneſs followed the remedy of what they called Superſtition.

§. 145. 2. *Of Ordination.* Secondly, Having likewiſe condemned, amongſt other ſuperſtitious Books, the former Church-form of Ordination and Conſecration of Biſhops and Prieſts, *See* 3, 4. Edw. 6. 10. c. the King cauſed a new Form to be preſcribed, upon this pretence in the Act of Parliament, 'That ſo concord 'and unity might be had, within his Majeſty's domini-'ons, in theſe Ordinations. [*But could not this have been done without innovation, by ſtrictly confining all to the* Stat. 3, 4 Edw. 6. 12. c. *uſe of the former Church-form; or, if theſe were various, to ſome one of them?*] Now for the compiling of this new Form the Parliament orders, That ſuch, as by ſix *See before*, §. 42. Prelates, and ſix others to be appointed by the King, or by the major part of them, ſhould be deviſed for that purpoſe and ſet forth under the great Seal, ſhould by vertue of their Act (without obtaining or requiring any ratification thereof from any Synod) be lawfully uſed, and none other, any law or preſcription to the contrary thereof notwithſtanding. In which new Form, amongſt other things, which were in the former, now caſt out, this is one, (to the great contradiction of all Antiquity) The Biſhops conferring on the ordained Presbyters *poteſtatem offerendi ſacrificium propriè dictum & verè propitiatorium* (ſee in what ſenſe underſtood and explained by the Church in *Diſcourſe of the Euchariſt*, §. 251. &c) *Deo, Miſſaſque celebrandi tam pro vivis quam pro defunctis. Quod omnem ſuperat impietatem*, ſaith *Maſon de Miniſt.* p. 242. 17. c. And this is another: The Oath of Submiſſion of the Ordained or Conſecrated to the Supremacy of the Patriarch: inſtead of which is preſcribed another Oath, to the Supremacy of the Temporal Prince. From which Regal Supremacy alſo we find *Cranmer* (after fifteen years governing the Province of *Canterbury*) receiving, at the coming in of a new Sovereign, a new

new Licence of ordaining Biſhops and Prieſts therein *durante Beneplacito Regis.* [The Form, as *Sanders* p. 179. hath ſet it down, runs thus, *Quandoquidem omnis juriſdicendi authoritas atque etiam juriſdictio omnimoda, tam illa quæ eccleſiaſtica dicitur, quam ſecularis, a Regia poteſtate velut a ſupremo capite manat* &c. *Ad ordinandum igitur quoſcunque intra Diœceſim tuam* Cantuarienſem *& ad omnes etiam ſacros & Presbyteratus ordines promovendum, per præſentes ad noſtrum beneplacitum duraturos, tibi damus poteſtatem.*] And ſome ſuch thing is intimated by Mr. *Prin* (unbiſhoping of *Timothy* p. 80.) 'I muſt inform our Biſhops (ſaith he) for their Learning, that all the Biſhops in King *Edward* the Sixth's 'time had ſpecial clauſes in their Letters Patents autho-'rizing them to ordain Miniſters and Deacons; as Bi-'ſhop *Poynet*'s, *Scory*'s, *Coverdale*'s Patents (5. *Edw.* 6. 'pars. 1.) teſtify at large (and there is no wonder in this, if you recall to mind Arch-Biſhop *Cranmer*'s Anſwers to the Queries made concerning theſe matters recited before §. 105. n. 3.): Which Patents, if they imply ſuch a Supremacy Eccleſiaſtical in the Prince, as that he may, if he pleaſe, prohibit any Eccleſiaſtical perſon at all from ordaining Miniſters in his dominions, are contrary to the firſt *Theſis* above. §. 2. But yet this new *Ordinal* was not ſo well purified from former Superſtitions, but that ſome who were preſented to Biſhopricks were ſtumbled therewith; and the Kings diſpenſation was obtained, in order to the conſecrating of Biſhop *Hooper*, for his not obſerving of ſome things therein; and particularly for his not taking the new Oath, either that of obedience to the Arch-Biſhop; or that of the Kings Supremacy; which perhaps he, lately ſeaſoned abroad with *Calvin*'s Doctrine, could not ſo eaſily digeſt.

See in Fox p. 1366. the Kings and Earl of Warwick's Letters.

See before, §. 37.

Thirdly, Not long after the production of the new Form in adminiſtring the Communion, in the ſecond year of his Reign he cauſed it to be reviewed; and alſo then to be drawn up a new Form of Common Prayer for Mattins and Evenſong, and the Adminiſtration of

§. 146. *Of Common Prayer.*

the other Sacraments of the Church (if I may use the phrase of the Act, 2. *Edw.* 6. 1. c.): which Form composed by seven Bishops, and seven other learned men of the Clergy chosen by the King (yet one of them *Day* Bishop of *Chicester*, after it was done, refused to subscribe it; who was afterward also turned out of his Bishoprick. See *Heylin*'s *Hist. of Reform.* p. 65. quoting the Register of *Petworth*) was authorized by Act of Parliament, and at the same time consented to (as it seems by what is urged above §. 110) by a Convocation of the Clergy: of which see what is said §. 126. And the pretence of making this new Form, in the Preface of that Act, is this, 'That, whereas of long time there 'had been in the Realm divers Forms of Common 'Prayer, the use of *Sarum*, of *York*, of *Bangor* and *Lin-* '*colne*; and besides the same, now of late much more 'divers and sundry Forms and Fashions have been used 'etc: to stay Innovation and Rites concerning the Pre- 'mises; his Highness, being pleased to bear with the 'frailty and weakness of his subjects in that behalf, hath 'appointed the Arch-Bishop of *Canterbury* &c. having 'as well respect to the most pure Christian Religion 'taught by the Scripture, as to the usages in the Primi- 'tive Church, to draw and make one convenient and 'meet order, rite and fashion of Common-Prayer and 'Administration to be had and used in his Majesty's 'Realms. *Thus the Act.* But to remedy these innovations or diversities of Forms, how easy had it been to establish any one of the ancient Forms? Or at least reasonable, to retain in the new draught those things wherein all the former Church-Services agreed? And not themselves to innovate, for the hindering of innovations? But the fact discovers the intention.

§. 147. *Out of which was ejected the Sacrifice of the Mass.*

For in this new draught was ejected and left out the Sacrifice of the Mass, or the oblation to God of the Holy Eucharist, as propitiatory or impetratory of any benefits, to the living, or to the dead; contrary to the belief of former Church and Councils, as is mentioned before §. 118. And for this reason were the Altars

in

in Churches commanded to be changed into Tables; that the eating might be thought on, but not the offering. Whenas *Hooper* had preached before the King, 'That 'ſo long as Altars remained, both the ignorant people, 'and the ignorant and evil-perſwaded Prieſt would al-'ways dream of Sacrifice: and beſides, the great men 'about the Court (ſaith Dr. *Heylin*, *Hiſt. of Reform.* p. '95.) had promiſed themſelves no ſmall hopes of profit 'by the diſ-furniſhing theſe Altars of the Hangings, Palls, 'Plate, and other rich Utenſils. --- The leaving of one 'Chalice to every Church with a Cloth or covering 'for the Communion-Table being thought ſufficient. Upon the ſame excuſe were the Chaunteries, Free-Chappels *&c.* ſeized on, as chiefly erected for the relieving of the deceaſed with the offering of this Sacrifice, and the Alms and Prayers accompanying it; of which ſee before §. 138. The benefit of which Sacrifice for the dead was yet a thing the more maintainable in thoſe days; becauſe the new Form ſtill retained this manner of praying for the dead, 'Grant unto this thy Servant 'that the ſins which he committed in this world be not 'imputed unto him; but that he, eſcaping the gates of 'Hell, and pains of eternal darkneſs, may ever dwell 'in the region of light with *Abraham*, *Iſaac*, and *Jacob*, 'in the place where is no weeping, ſorrow, nor heavi-'neſs, *&c.* See the *Order for Burial*, Fol. 28.

§. 148. Where I. *Concerning the alterations in the firſt Common-Prayer Book of K. Edward's in relation to the Sacrifice of the Euchariſt.*

For the excluſion of this Sacrifice, you may find in the new Communion (ſee *Communion*, Fol. 128.) all thoſe expreſſions in the former Liturgy, that ſignify it, diligently cancelled (forbidding alſo the elevation of the Hoſt after Conſecration;) as theſe following, In the Canon before Communicating; *Te ſupplices rogamus ac petimus, uti accepta habeas & benedicas hæc dona, hæc munera, hæc ſancta ſacrificia illibata; inprimis quæ Tibi offerimus pro Eccleſiâ tuâ ſanctâ Catholicâ* &c. And, *Memento Domine famulorum* &c, *pro quibus tibi offerimus hoc ſacrificium laudis pro redemptione animarum ſuarum, pro ſpe ſalutis & incolumitatis ſuæ* &c. And, *Memores ejuſdem Chriſti filii tui, tam beatæ paſſionis* &c. *offerimus præclaræ*

Majeſtati tuæ de tuis donis ac datis, Hoſtiam puram, Hoſtiam ſanctam, Hoſtiam immaculatam, panem ſanctum vitæ æternæ, & calicem ſalutis perpetuæ: ſupra quæ propitio ac ſereno vultu reſpicere digneris, & accepta habere ſicuti accepta habere dignatus es munera pueri tui juſti Abel, *& ſacrificium Patriarchæ noſtri* Abrahæ, *& quod tibi obtulit ſummus ſacerdos tuus* Melchiſedech, *ſanctum ſacrificium, immaculatam hoſtiam. Jube hæc perferri per manus Sancti Angeli tui in ſublime altare tuum in conſpectu Divinæ Majeſtatis tuæ: ut quotquot ex hac altaris participatione, ſacroſanctum Filii tui corpus & ſanguinem ſumpſerimus, omni benedictione cæleſti & gratiâ repleamur.* And that in Poſt-Communion; *Præſta, ut ſacrificium, quod oculis tuæ Majeſtatis indignis obtuli, Tibi ſit acceptabile, & omnibus, pro quibus illud obtuli, ſit, te miſerante, propitiabile.* Theſe Expreſſions I ſay are cancelled, and, inſtead of theſe, the new Form makes an oblation to God, not of the conſecrated Gifts or *Sacrament*, (at leaſt expreſly) but of our *thanks*, and of our own *perſons* and *ſervice*. But this Oblation, in imitation of the former, it brings in immediately after the Conſecration, and before Communicating, whilſt the conſecrated Elements yet remain upon the Table. This new Form I thought good to tranſcribe; becauſe perhaps you may not have the Book. 'Wherefore (O Lord and 'heavenly Father) according to the inſtitution of thy 'dearly beloved Son, we do celebrate and make here 'before thy Divine Majeſty, with theſe thy holy Gifts, 'the *Memorial*, which thy Son hath willed us to make, 'having in remembrance his bleſſed Paſſion *&c.* [*where, whether ſome of the Compoſers* (*who were of different perſwaſions* ſee before, §. 127, 128.) *retaining the former intentions under an only-varied expreſſion might not extend theſe ambiguous words to an offering of the holy miſteries to God the Father, as a commemorative Sacrifice of that of his Son upon the Croſs, I cannot ſay: but thus it goes on*] 'Rendring unto thee moſt hearty thanks for the innu'merable benefits procured unto us by the ſame. Eh'tirely deſiring thy Fatherly goodneſs mercifully *to ac-*

cept

cept this our Sacrifice of praiſe and thankſgiving. Moſt 'humbly beſeeching thee to grant, that by the merits and 'death of thy Son Jeſus Chriſt, We and all thy whole 'Church may obtain remiſſion of our ſins, and all other 'benefits of his Paſſion. And here *we offer* and preſent 'unto thee (O Lord) *our ſelves*, our ſouls and bodies 'to be a reaſonable, holy, and lively Sacrifice unto Thee: 'humbly beſeeching thee, that whoſoever ſhall be par-'takers of this Holy Communion, may worthily receive 'the moſt precious body and blood of thy Son Jeſus 'Chriſt, and be fulfilled with thy grace and heavenly 'benediction [*the ancienter Form*, Ut quotquot ex hac altaris participatione Sacro-ſanctum Filii tui corpus & ſanguinem ſumpſerimus, omni benedictione *&c.* repleamur, *ſeems to be thus changed; becauſe Chriſt's body and blood were held by ſome only to be preſent to, and received by, the worthy Communicant, and not to the Symbols.*] 'And 'altho we be unworthy *&c.* to offer unto thee any Sacri-'fice; yet we beſeech thee to accept this our bounden 'duty and ſervice, and command theſe our *Prayers and Supplications* [put inſtead of *panis ſanctus & calix ſa-'lutis*] by the miniſtery of thy Holy Angels to be brought 'up into thy holy *Tabernacle* [*formerly* Altare] be-'fore the ſight of thy Divine Majeſty *&c.*

§. 149. 2 *Concerning the further alterations in the ſecond Common-Prayer Book in relation to the ſame Sacrifice.* *Stat.* 5, 6. Edw. 6. 1. c.

Thus were things mended in the firſt Form of King *Edward.* But in the latter Common-Prayer-Book, which came out a new-reformed three years after, there is no oblation at all made, nor no petition put up, between the Conſecration, and the receiving of the Holy Myſteries: but the one immediately follows the other. The Collect of *humble acceſs* [*We do not preſume to come* &c.] and the Lord's Prayer with its Preface [*Divinâ inſtitutione formati audemus dicere*;] and the *Memorial* or Prayer of Oblation; which are put, according to the manner of the Maſs, after the conſecration of the holy Myſteries, and before the receiving of them, in the *firſt* Form, are all removed in the *ſecond*: and the firſt placed before the Elements begin to be conſecrated; and the other two placed after the holy Myſteries are re-

removed from the Altar or Table, and are diſtributed to the Communicants; and in the Prayer of Oblation, the firſt part thereof [*We do celebrate and make the Memorial* &c.] is omitted. The reaſon of which alteration ſeems to be, That ſo the new *Service* might ſtill appear more remote, from making any oblation to God of the conſecrated Myſteries remaining on the Table; or from making any requeſt to God in the vertue of the Body and Blood of our Saviour there preſent.

§. 150. *3. Concerning the reduction of ſome things touching this matter in the new Cõmon Prayer Book prepared for* Scotland *to the firſt Form of* K. Edward.

But, again, in the laſt Engliſh Liturgy prepared for *Scotland*, the ſober moderation of thoſe, who governed the Church at this time, thought fit to reduce things, as far, as without offence they might, to the firſt Form of King *Edward*: reſtoring all theſe Prayers to their former place again; and re-inſerting the *Memorial* in the Front of the Prayer of *Oblation*. Moreover, in the Prayer for the *State of the Catholick Church*, adding theſe words [*We commend eſpecially unto thy merciful goodneſs the Congregation here aſſembled to celebrate the Commemoration of the moſt precious death and ſacrifice of thy Son and our Saviour Jeſus Chriſt*;] before which Prayer alſo they order an oblation to be of the Bread and Wine, prepared for the Sacrament, upon the Lord's Table. All which they ſeem to have done, as regretting the miſtaken zeal of their Fore-fathers, miſ-led by *Calvin* and other forreign Reformers; but not finding as yet a ſeaſon for a more compleat reduction of the Reformation to the former univerſal practice of the Church of God.

§. 151. *Much complained of in* Laudenſium Autocatacriſis.

Of all which things thus complains the contrary Party, who looked upon their alterations with a zealous eye, in *Laudenſium Autocatacriſis* p. 109. 'As for 'that wicked Sacrifice of the Maſs, which the Canon 'puts at the back of the Conſecration, the Engliſh [i. e. *the later Reformation of Common-Prayer-Book under King* 'Edward] baniſheth it all utterly out of their Book. 'But the faction, to ſhew their zeal in their reforming 'the Errors of the Engliſh Church their Mother, 1. puts 'down here in our Book [*the Book ſent to* Scotland,] at

1.

'the

'the back of the Conſecration, their *Memento* and Prayer
'of *Oblation.* 2. That Prayer of Thanſgiving [*begin-* 2.
'*ning O Lord* &c. *we thy humble ſervants entirely deſire*]
'which the Engliſh ſets after the Communion, (in a place
'where it cannot be poſſibly abuſed, as it is in the
'Maſs, for a propitiatory Sacrifice of Chriſt's body and
'blood,) they tranſpoſe and ſet it juſt in the old place
'where it ſtood in the order of *Sarum* at the back of the
'Conſecration, and before the Communion. 3. The 3.
'clauſe of the Miſſal which for its ſavour of a Corporal
'preſence the Engliſh put out of this Prayer [*may wor-*
thily receive the moſt precious body and blood of thy Son
Chriſt Jeſus] they have here reſtored. 4. That we may 4.
'plainly underſtand, that this Prayer is ſo tranſplanted,
'and ſupplied for this very end, that it may ſerve, as
'it did of old in the Miſſal, for a Prayer of Obla-
'tion of that unbloody Sacrifice by the Prieſt for the
'ſins of the world, behold the firſt eight lines of it,
'which of old it had in the Miſſal, but which in the Re-
'formation [*the ſecond Reformation under* Edward] were
'ſcraped out, are plainly reſtored; wherein we profeſs
'to make, and, over again, to make, before *God's* Di-
'vine Majeſty, a *Memorial*; as Chriſt hath commanded.
'Which *making* not only the Papiſts, but *Heylin*, ſpeak-
'ing from *Canterbury*, expounds, far otherwiſe, than
'either *Andrews*, *Hooker*, *Mountague*, or the groſſeſt of the
'Engliſh Divines, *for a true, proper, corporal, viſible, un-*
'*bloody, ſacrificing of Chriſt*; for which [*ſacrificing*]
'firſt the Apoſtles, and then all Miniſters, are as truly
'Prieſts, tho Evangelical and after the order of *Mel-*
'*chiſedech*, as ever the Sons of *Aaron* were under the
'Law; and the Communion-Table, as true and proper
'an Altar, as ever was the Braſen Altar of *Moſes*. [*you*
'*may ſee Dr.* Heylin's *words in* Antid. p. 6. § 2.] 5. After 5.
'the Conſecration and Oblation they put to the Lord's
'Prayer with the Miſſals Preface, *Audemus dicere.* Where
'the Papiſts tell us, that the Prieſt having offered up,
'in an unbloody Sacrifice, the body of Chriſt, for the
'reconciling of us to the Father, becomes bold to ſay

'with

'with a loud voice, *Pater noſter.* The Engliſh, to ba-
'niſh ſuch abſurdities, put away that naughty Preface,
'and removed the Prayer it ſelf from that place: But
'our men, to ſhew their Orthodoxy, repone the Prayer
'in the own old place; and ſet before it the old Preface.
'6. The firſt Engliſh Prayer [*We do not preſume* &c.]
'which ſtood before the Conſecration (where the paſ-
'ſages of *eating Chriſt's Body*, and *drinking Chriſt's Blood*
'could not poſſibly be detorted to a corporal preſence)
'yet now in our Book muſt change the place, and be
'brought to its old Stance, after the Conſecration and
'Oblation, immediately before the Communion, as
'a Prayer of *humble acceſs.* Thus *Autocatacriſis* ſound-
ed the Trumpet, not without a ſad ſtorm falling after-
ward upon the heads of the Engliſh Clergy.

§. 152. *And the Celebration of the Euchariſt prohibited, when none other to communicate with the Prieſt.*

All uſe of the Euchariſt, as a Sacrifice, being thus diſ-avowed by King *Edward's* Reformation, and no benefit acknowledged of this high Service, ſave to the Communicants in their receiving it, and in the Prieſts diſtributing of it to the people; in the next place the Prieſt was prohibited the celebration thereof, whenſoever there were no other Communicants beſides himſelf. [*Tho this communicating of the Prieſt alone is no deſigned, but a caſual, thing, as hath been ſaid; and can only be charged upon the peoples neglect and fault: who having the ſame need thereof, and benefit thereby, as the Prieſt, might, being many, at leaſt by turns, accompany him in the dayly breaking of that celeſtial Bread (if it were ſo hainous a thing for him to feed thereon alone) rather than that this the moſt honorable part of the divine Service ſhould be diſcontinued in the Church; contrary to the former univerſal practice of Chriſtianity, and alſo the late judgment, under* Henry *the Eighth, of the Engliſh Clergy.*] 'It was
'ordered therefore, that all thoſe, called private, Maſſes
'ſhould be ſuppreſſed: add that on the Litany-days,
'Wedneſdays and Frydays, and all other ſolemn days
'of worſhip, when there was none diſpoſed to commu-
'nicate with the Prieſt, he, after the Litany ended,
'ſhould put upon him a plain Albe or Surplice, with a
'Cope,

See before, §. 118.

'Cope, and ſay all things at the Altar appointed to be 'ſaid at the Celebration of the Lord's Supper, until 'after the Offertory: and then letting alone the fore- 'ſaid Celebration, add one or two of the Collects which 'are annexed to the Communion; and then turning him 'to the people, ſhall let them depart with the ac- 'cuſtomed Bleſſing.

See K. Edw. firſt Common-Prayer Book Rubr. fol. 133.

And thus firſt began the Chriſtian Sacrifice, (that never ceaſed formerly in the Church every day, or at leaſt on all ſolemn days to be offered,) by certain degrees to be omitted in this purified Church; the practice thereof decreaſing, from once a day, to once a week; from once a week, to once a month; from this to once a year; and of late in many Churches not to be had at all. Tho they, who in theſe days of King *Edward* made the firſt breach upon the Church's former practice, as it were foreſeeing this evil, endeavoured in ſome part to remedy or prevent it, by enjoyning: 'That, in all 'Cathedral and Collegiate Churches [*where they ſuppoſe, that there ſhould be ſtill dayly Communion. See King* Edward's *firſt Common-Prayer-Book, Fol.* 113, *compared with Fol.* 123.] there ſhould always in them ſome com- 'municate with the Prieſt that miniſtreth: And that 'in Pariſh-Churches, whereas the Pariſhioners of every 'Pariſh were ordered in ſuch a courſe as they were wont 'to find the holy Loaf formerly, now to offer every 'Sunday, at the time of the offertory, the juſt valor 'and price of the holy Loaf, with all ſuch money and 'other things, as were wont to be offered with the ſame, 'out of which the Paſtors were to provide ſufficient 'Bread and Wine for the weekly Communion; In theſe 'Pariſh-Churches, I ſay, it was enjoyned, that ſome 'one at the leaſt [*for one, beſides the Prieſt, was as yet ſufficient*] of that houſe in the Pariſh, to which by courſe 'it appertained to offer for the charges of the Com- 'munion, ſhould on that Sunday receive the Holy Com- 'munion with the Prieſt. Which [*ſaith the Book*] may 'be better done, for that they know before, when their 'courſe cometh, and may therefore diſpoſe themſelves

§. 153. *See the firſt Com. Prayer Book of* Ed. 6. *fol.* 133.

'to the worthy receiving of the Sacrament. And by 'this means the Miniſter, having always ſome to com- 'municate with him, may accordingly ſolemnize ſo 'high and holy myſteries with all the ſuffrages and due 'order appointed for the ſame. But in the ſecond re-formed Book theſe Orders are relaxed, the weekly offering by turns for the charges of the Communion now remitted, the Celebration of the Lord's Supper or Communion required in Cathedral and Collegiate Churches every Sunday; and that in Pariſh-Churches it ſhould be celebrated at leaſt three times in a year; and that it ſhould be celebrated in no place, at no time, unleſs there be three to communicate beſides him that officiates. By which, when none or only fewer than three offered to communicate with the Prieſt, he was neceſſitated to omit this Service, as well in Cathedral as Pariſh-Churches; notwithſtanding any Injunction of frequentation. But the firſt Innovators might have prudently diſcerned, that when as the Celebration of this Service, thus, would depend only on the peoples devotion, either a reception of the myſteries by the Prieſt alone muſt ſome times be permitted, or this Sacrifice many times omitted. [There are two Injunctions indeed, wherein theſe Reformers ſeem to have endeavoured, to ſome degree, the preſervation of the former Devotion of the Clergy in Prayer and Communion. The one, this (forementioned.) 'That in Cathedral and 'Collegiate Churches, where be many Prieſts and Deacons, they ſhould all receive the Communion with 'the Miniſter every Sunday at the leaſt, except they '[i. e. *ſome, not all, of them*] had a reaſonable cauſe 'to the contrary. --- The other, this (for ſaying their office dayly, as formerly,) ---'That all Prieſts and Deacons 'ſhall be bound to ſay dayly the Morning and Evening 'Prayer [*yet how ſhort this in reſpect of the office they quitted!*] either openly, in the Pariſh Church or Chappel, 'if at home and not being otherwiſe reaſonably letted; 'or privately, except they be let by Preaching, ſtudying of Divinity, or ſome other urgent cauſe. But here

See the Rub. after the Communion.

See the Preface to the Com. Prayer Book.

here alſo the two exceptive Clauſes annext [*Except they have a reaſonable cauſe to the contrary*, in the former; and *Except they be let by Preaching, ſtudying of Divinity or ſome other urgent cauſe*, in the latter,] have rendered theſe Injunctions, as to the general, without vigour and effect, or practice in this Church. Which the Prudence of thoſe who contrived the Scotch Liturgy well obſerving thought fit thus to qualify the latter Exception: "Of 'which *Cauſe*, (ſay they) if it be frequently pretended, 'they are to make the Biſhop of the Dioceſs, or the 'Arch-Biſhop of the Province the Judge and Allower.]

See the Preface to the Scotch Liturgy.

§. 154. *And Invocation of Saints expunged out of the Litanies.*

Beſides the Sacrifice of the Maſs thus removed out of the ſecond new Form of the Communion; the Invocation and Suffrages of the Saints were alſo expunged out of the publick Litanies: When-as, even in the firſt Engliſh Litany put out under King *Edward*, after *O Holy Bleſſed and Glorious Trinity* &c. *have mercy upon us*, it followed thus, *Holy Virgin* Mary, *Mother of God our Saviour Jeſus Chriſt Pray for us. All holy Angels and Arch-Angels, and all holy orders of bleſſed Spirits pray for us. All holy Patriarchs and Prophets, Apoſtles, Martyrs, Confeſſors, and Virgins, and all the bleſſed company of Heaven, Pray for us.* Likewiſe in the Parliament-Act, 3, 4. *Edw.* 6. 10. c. it is commanded: That in the Primers the ſentences of Invocation or Prayer to Saints be *blotted* and clearly *put out* of the ſame. And this contrary to the former univerſal practice of the Catholick Church. See *Chur. Govern.* 4. Par. 98. §.

§. 155 *And the neceſſity of Sacerdotal Confeſſion relaxed.*

Beſides this, in the ſame new Form is remitted the neceſſity of Sacerdotal Confeſſion, and the performing of ſuch penitence and humiliation as the Prieſt ſhall judge meet; and the receiving of his abſolution and reconciliation for thoſe who are conſcious to themſelves of mortal ſins, or grievous crimes, before they may preſume to approach to Gods Altar, and to the holy Communion of Chriſts body and blood (contrary to the former decrees of ſuperior Councils, and practice of the Church Catholick:) Inſtead whereof it is only here ordered, 'That if any be an open and notorious

'evil liver, (ſo that the Congregation by him is offend-
'ed) or have done any wrong to his Neighbors, the
'Curate ſhall not admit him to the Communion before
'his giving ſatisfaction of his repentance to the Con-
'gregation, and at leaſt declaring his full purpoſe to
'recompence the party wronged: And, before the
Fol. 123. Communion, a general exhortation made, 'That if any
'be a blaſphemer, adulterer, or be in malice, or envy,
'or any other grievous crime, he ſhould not come to
'that holy Table, except he be truly ſorry therefore,
'and earneſtly-minded to leave the ſame vices, and do
'truſt himſelf to be reconciled to Almighty God, and
'in charity with all the world. This is ſaid indeed in
Fol. 124. the ſecond Exhortation, 'If there be any whoſe Con-
'ſcience is troubled, or grieved in any thing, lacking
'comfort or counſel, let him come to me, or to ſome
'other diſcreet and learned Prieſt taught in the Law of
'God, and confeſs and open his ſin and grief ſecretly;
'that he may receive ſuch ghoſtly counſel, advice, and
'comfort, that his conſcience may be relieved; and
'that, of us, as of the Miniſters of God and of the
'Church, he may receive comfort and abſolution, to
'the ſatisfaction of his mind, and avoiding of all ſcruple
'and doubtfulneſs. But the words following [viz. *Re-
quiring ſuch, as ſhall be ſatisfied with a general Confeſſion,
not to be offended with them that do uſe, to their further
ſatisfying*, the auricular and *ſecret* Confeſſion *to the Prieſt;
nor thoſe alſo which think needful or convenient, for
the quietneſs of their conſciences, particularly to open
their ſins to the Prieſt, to be offended with them that
are ſatisfied with their humble confeſſion to God, and
the general confeſſion to the Church.*] I ſay theſe words
(which are omitted in the ſecond reformed Com-
mon-Prayer-Book, I ſuppoſe, as ſpeaking too favour-
ably of the uſe of *Auricular* Confeſſion) do argue, that
thenceforth no neceſſity of *Sacerdotal* Confeſſion was
impoſed upon any, for any crime. Likewiſe in the
Viſitation of the Sick it is ſaid; *Here ſhall the ſick perſon
make a ſpecial confeſſion, if he feel his conſcience troubled
with*

with any weighty matter: which is alſo retained in the ſecond Form of Common-Prayer. But here ſuch Confeſſion is commanded only hypothetically; not, if he have committed, but if his Conſcience be troubled with any weighty matter, which he hath committed. Which unfortunate [*If*,] as experience hath ſhewed, quickly ruined the practice of Sacerdotal Confeſſion.

[And indeed (with your leave to digreſs a little) when grievous ſins are committed, this [*If*,] might well have been ſpared. For 1. every one, that hath committed ſuch ſin, as is ſuppoſed to have put him out of the State of Grace, and out of his Baptiſmal Regeneration (for which only the Church requires Sacerdotal Confeſſion) either hath, or ought to have (and probably would have, if the Clergy taught him ſo) his Conſcience troubled; till he hath obtained a new reconciliation to God, by thoſe whom God hath appointed to do this office for him; 2. But if his private repentance, when this is done proportionably to his offence, is ſufficient for his reconciliation; yet what grievous ſinner, after much repentance, ought not ſtill to be troubled concerning the unworthines of it, till he hath conſulted, in ſuch an hazard, his ſpiritual Father much more knowing therein than himſelf? And then if all ſuch ought to be troubled; all ought to confeſs. Indeed leſs trouble of mind is many times a ſign of leſs penitence; and, of ſuch high offenders, thoſe have moſt need of the Prieſt's cure, who are leaſt troubled. And thoſe who are leaſt troubled, ought to be ſo much the more troubled, that they are ſo little troubled: and ought to go to the Prieſt and confeſs ſuch ſin, that he may excite them to greater trouble and ſorrow for it, and may put them to ſome pain in ſearching their wound to the bottome, that ſo it may be more capable of cure. And on the other ſide; thoſe, who in, and after long penitence, and even from all their life, are much troubled for ſuch their crimes, are likely to be the beſt penitents; and conſequently to have leaſt need of Sacerdotal Confeſſion for the examining of their repentance: which examination, and not conſolation, I imagine, §. 156.

imagine, is the chief end and deſign of the Reformed's preſcribing ſuch Confeſſion to thoſe, who are troubled. 3. But then add to this; that when once ſuch Sacerdotal Confeſſion for great ſinners is commanded by the Church (*i. e.* by a lawful ſuperior Council) to be obſerved, as neceſſary, *jure divino*, or by divine Inſtitution, Now, it comes to paſs, that tho ſuch Confeſſion were ſuppoſed not neceſſary to be obſerved or practiſed from any ſuch divine inſtitution; yet, after decreed by ſuch a Council, (as who have authority to impoſe it alſo upon ſeveral other motives, from which they think it the moſt beneficial and the ſecureſt courſe for ſuch ſinners ſo to do;) it becomes neceſſary to be practiſed and obſerved as the Church's conſtitution, even by thoſe, who think it not neceſſary *jure divino*. 4. But yet further; were not ſuch Church-conſtitution in this reſpect obliging; yet when as a thing is ſo far diſputable and doubtful, whether *jure divino*, as that ſuch a judgment, as this of a ſuperiour Council, hath declared, it ſo; and whenas on the otherſide we our ſelves grant thus much, that ſuch thing, if not neceſſary, is very beneficial, and may upon this title be lawfully enjoyned by the Church's Superiors: reaſon will dictate here, that it is the moſt prudent way, both for the Subjects of a particular Church to obſerve it; and for the Superiors of ſuch Church to enjoyn it, upon pain of incurring their cenſures, to be obſerved. But now to return to our buſineſs.]

CHAP.

CHAP. X.

Of the Second Change of the Publick Liturgy *in his time.*

THus much concerning the Reformation made in the firſt new Form of the Publick Service under King *Edward*, (to ſay nothing here of the firſt additions to the Maſs made at *Windſor*) much more temperate, and leſs varying from the former Service than the preſent is; as ordinarily things do not on a ſuddain move from one extreme to another. In which Book alſo it is to be noted; that many of the alterations, which were made, were only omiſſions; As of the *Sacrifice of the Maſs*; of *Invocation of Saints*; of *Auricular Confeſſion*; of *Elevation of the Euchariſt* (*Adoration* being not-prohibited) *&c.* without tying any to profeſſing his faith to be contrary to ſuch things as were omitted: which I impute to the warineſs and moderation of ſome of the Compoſers, who retained a different perſwaſion from the reſt. See before, §. 127. And again, that in it were many former uſages of the Church ſtill retained: which gave great offence to the forreign Reformers; and to other *Preciſians* here, who had been nurſed abroad under their Diſcipline. Amongſt which uſages retained may be numbred theſe. At the Communion, in the Prayer *for the eſtate of the Church Catholick*, a ſolemn *Commemoration of the Saints*, and other faithful departed, (which was thought fit by the late Compoſers of the Scotch Liturgy to be reſtored again in part into the ſame Prayer; where is made a diſtinct and different Commemoration of other faithful deceaſed, and of the Saints deceaſed) *Prayer for the dead*, and that in the ſame manner, as formerly: See *Burial of the dead*, Fol. 28. (as ſuppoſing ſome of them in a ſtate purgative or betterable by ſuch Prayers. See before, §. 147.) *Exorciſme*

§. 157. *In ſetting forth a ſecond Form of Common Prayer than which the firſt was in many things much more moderate.*

Fol. 128.

[*I com-*

[*I command thee, unclean Spirit, that thou depart* &c. Fol. 2.] and *unction of Infants* in Baptiſme. Sanctifying, or *Benediction* of the Water in the Font before it be uſed in Baptiſme, (reſumed by the Scotch Liturgy.) *Extream Unction* alſo ſtill retained. *Conſecrating* only ſo much Bread and Wine, as ſhall ſuffice for the perſons appointed to receive the Holy Communion. And mingling Water with the Wine. *Reſervation* of the Sacrament after publick Communion to be carried home to the ſick if there be any that day to be communicated (which reſervation were it made for ſome longer time I ſee not how this difference can alter the lawfulneſs thereof.) The *quotidian Celebration* of the Euchariſt in all Cathedral and Collegiate Churrches as yet practiced, tho not enjoined. See *Rubr.* Fol. 123. The *Altars* ſtill left in the ſame Poſition and with the ſame furniture, as formerly. The *Communion-bread* made in the ſame Figure as formerly, only to be ſomewhat thicker and without any print upon them. The ſame Holy *Veſtments*, Albes, Copes, ſtill retained. The *Oblation* made after Conſecration, *before receiving*, ſpoken of before. And chiefly, the retaining ſtill, in the *Conſecration* and other paſſages of the Communion, all thoſe former expreſſions of the Maſs, which imply, whether by Tranſ- or Con-ſubſtantiation, a corporal preſence. For ſuch preſence was not a thing declared againſt, till the Fifth year of King *Edw.* in *Art.* 28. [*and then declared againſt upon this Philoſophical reaſon: becauſe* ejuſdem hominis corpus in multis locis ſimul eſſe non poteſt. *But this part againſt* real *or corporal* Preſence, *with its reaſon, was afterward thought fit to be caſt out of this Article, when they were reviewed by Queen* Elizabeth's *Synod* 1562.] The Obligation of *Henry* the Eighth's Six Articles being voided, all perſons in this point were then left, as it were, to their own opinion: amongſt whom, as ſome were *Zuinglians*, ſo a major part ſeem to have been in the former days of King *Edward* either of the *Roman*, or *Lutheran*, perſwaſion. Neither is there any mention *concerning the manner of Chriſts Preſence in the Euchariſt* in

Fol. 4.
Fol. 8.
Fol. 126.
Viſit. Sick. fol. 22.
Fol. 21.

in the Articles propoſed to *Wincheſter*, or in any other of the Kings Injunctions: and therefore *Bonner* and *Gardiner* (when forced to preach in publick) to the great offence of ſome of their Auditors, made this the chief ſubject of their Sermons; and many, in the publick Diſputations had in *Oxford* and *Cambridge* about this matter, freely and *ex animo* maintained ſuch corporal Preſence. See before, §. 107. And *Cranmer* himſelf alſo for a long time was a Lutheran in his opinion, till at laſt he was otherwiſe perſwaded by *Ridley*. *Fox* p. 1115. and p. 1703. Neither was there ſuch agreement between *Ridley* and *Peter Martyr* at firſt: but that the one in the *Oxford* Diſputations held a change after Conſecration in the ſubſtance of the Bread and Wine; which the other denyed in *Cambridge*. *Fox* p. 1255.

§. 158. *In which ſecond Book are reſtified and removed many thing which gave offence in the former.*

Thus ſtood things ſomewhat moderated in the firſt Form: againſt which therefore were made many complaints. *Calvin* writ to the *Protector* ſoon after it was ſet forth; where he incites him to a new Reformation thereof: and after having found fault with Prayer *for the Dead* he goes on, --- *Sunt & alia non perinde damnanda fortaſſe, ſed tamen ejuſmodi, ut excuſari non poſſint. Illa omnia abſcindi ſemel præſtiterit, ut nihil in Eccleſiâ Dei uſurpetur, quod non & ipſius verbo conforme ſit, & ad Eccleſiæ ædificationem pertineat; ita verò tolerandi ſunt infirmi, ut ad meliora promoveantur.* After this, about 1551. *Epiſtle*, p. 135. he writ thus to Arch-Biſhop *Cranmer*. --- *Sic correctæ ſunt externæ ſuperſtitiones, ut reſidui maneant innumeri ſurculi, qui aſſiduè pullulent. Imò ex corruptelis Papatus audio relictam eſſe congeriem, quæ non obſcuret modò, ſed propemodum obruat purum & genuinum Dei cultum.* Writ likewiſe to *Bucer*, then a Teacher of the reformed Religion in *Cambridge*, that he ſhould ſolicite this matter; telling him that he was cenſured for too much moderation, and might thus free himſelf from ſuch an aſperſion. *Epiſtle*, p. 107. --- *Dominum Protectorem, ut volebas, conatus ſum hortari, ut flagitabat præſens rerum ſtatus: tuum quoque erit modis omnibus inſtare, præſertim verbo; ut ritus, qui ſuperſtitioni aliquid*

redolent, tollantur è medio. Hoc tibi nominatim commendo, ut te invidiâ liberes, quâ te falſò gravari apud multos non ignoras; nam mediis conſiliis te vel authorem vel approbatorem ſemper inſcribunt. Scio hanc quorundam animis ſuſpicionem altius infixam eſſe, quam ut eam revellere facile ſit, etiamſi nihil omittas. *Bucer* thus excited by *Calvin*, and alſo requeſted by *Cranmer*, having the Book tranſlated into Latine, *An.* 1551. writes a cenſure thereof; wherein he deſireth the alteration or omiſſion of many things (even to the diſallowing of the *uſe of the Surplice*, and of ſuch other veſtments, as are there appointed; of ſaying of the *ſecond Service* at the Altar; of the Preſbyter's taking the bread in his hand, and the uſing of the *ſign of the Croſs* in the Conſecration; beſides greater matters, of praying *for the dead* &c.) Yet, of ſeveral of thoſe things, which he would have to be changed, he confeſſed, both that they were ancient, and might in ſome manner be inculpably uſed, but yet thought it better that they ſhould be removed: 1. becauſe not appointed in Scripture by word or example: 2. becauſe they might be, or alſo had been, abuſed to ſuperſtition: 3. becauſe the Church ſhould partake as little as might be of the ſame uſages with Anti-Chriſt. *Bucer* Cenſur. in Ordinat. *Eccleſ. Angl.* p. 458. 467. *&c.*

§. 159. Upon ſuch exceptions taken at the Liturgy, *as well from abroad, as alſo by ſome of the preciſer ſort at home* (ſaith Dr. *Heylin, Reform. Juſtif.* p. 31. and *Hiſt. of Reform.* p. 107.) and becauſe there had riſen divers doubts for the faſhion and manner of the miniſtration of the ſaid Service, *rather by the curioſity of the Miniſter and miſtakers, than of any other worthy cauſe* (ſaith the Act of Parliament it ſelf, 5, 6. *Edw.* 6. 1. c. which ſhews what a good opinion they had of the former Book) It was committed to be new corrected, but by what perſons we know not. The Act, without any ſuch *Encomium* of theſe Reviewers, as of the firſt Compoſers, ſaith only, --- *That the King cauſed it to be faithfully and godly peruſed, explained and made fully perfect.* Perhaps it

it was corrected (which is one of Dr. *Heylin*'s conjectures: See before, §. 42.) by thoſe who were appointed by the King about this time to compoſe a Form of Ordination; which Form the Act joined with this new Service-Book. But it could not be done by the ſame perſons, that compoſed the former, at leaſt not by all of them; becauſe *Day* before this was ejected out of his Biſhoprick; and two more *Skyp* and *Holbeck*, as I think, before this deceaſed; and *Harley* and *Taylor* were choſen their Succeſſors. The thing matters not much. Thus corrected it was preſented to the Parliament, and it only by them authorized to be uſed.

§. 180. *Among the reſt, Prayer for the dead and ſeveral expreſſions that ſeemed to infer the Real or Corporal Preſence in the Euchariſt.*

Which ſecond Form (beſides caſting out ſeveral other things that were retained in the former; as the *Commemoration of Saints*, and *Prayer for the dead*; many Rites in the Adminiſtration of *Baptiſme*; the liberty of *extream Unction*; the *Oblation* and Prayers in the Communion; which were made immediately after Conſecration, ſpoken-of before, §. 148, 149.) above all ſeems to have taken a vigilant ſpecial care for the altering and removing out of the former Form all thoſe paſſages, which might argue any real or corporal Preſence of the Body and Blood of Chriſt (whether it be by Tranſ- or Con-ſubſtantiation, or any other way) with the Symbols. Whereas therefore, in the Prayer *of Conſecration*, theſe words are in the Miſſal, *Quam oblationem tu Deus in omnibus quæſumus benedictam acceptabilemque facere digneris, ut nobis Corpus & Sanguis fiat dilectiſſimi Filii tui Domini Noſtri Jeſu Chriſti*; and ſo in the firſt Form of King *Edward* theſe words, *Hear us O Merciful Father, we beſeech thee: and with thy Holy Spirit and word vouchſafe to bleſs and ſanctify theſe thy gifts, and creatures of Bread and Wine, that they may be unto us the Body and Blood of thy moſt dearly beloved Son* (Both the Miſſal and that Form ordering the perſon conſecrating at this time to take both the Bread and the Cup into his hands): Inſtead of this, the ſecond Form is thus changed, 'Hear 'us, O Merciful Father, we beſeech thee, and grant, 'that we, receiving theſe thy Creatures of Bread and

'Wine, according to thy Son our Saviour Jeſus Chriſt's 'holy Inſtitution, in remembrance of his Death and 'Paſſion, may be partakers of his moſt bleſſed Body and 'Blood (omitting alſo the Prieſts touching or handling the Pattin or Chalice:) which is done according to *Bucer*'s directions in his *Cenſura* p. 468. Whereby ſeems to be avoided the acknowledging of any Preſence of Chriſt's Body and Blood with the Symbols; of which alſo *Bucer* ſaith, p. 476. *Antichriſtianum eſt affirmare quicquam his elementis adeſſe Chriſti extra uſum prabitionis & receptionis.* For the ſame reaſon it ſeems to be, that the *Glory be to God on high* &c. and the *Benedictus, qui venit in nomine Domini* after the *Surſum Corda*, the one is transferred after the Communion; and the other, omitted. Likewiſe; whereas in the adminiſtring of theſe Myſteries, the Miſſal uſeth this Form, *Corpus Domini Jeſu Chriſti cuſtodiat animam tuam in vitam æternam*; and ſo alſo the firſt Book of King *Edward* the Second (as it were againſt the apprehending of any Real Preſence to the Symbols, or any oral feeding on that Body) removeth thoſe words, and placeth inſtead thereof only theſe: *Take and eat this, in remembrance that Chriſt dyed for thee, and feed on him in thy heart by Faith with thanksgiving*: Again; *Drink this in remembrance* &c: So, whereas it is ſaid in the firſt Form in the Prayer of *humble acceſs, Grant us ſo to eat the fleſh of thy dear Son Jeſus Chriſt, and to drink his blood in theſe holy Myſteries*; the ſecond omits [*in theſe holy Myſteries.*] Likewiſe, at the end of the Communion-Service is added this *Rubrick* (declaring, that kneeling at the participation of the Sacrament is required for a ſignification of the humble acknowledging of the benefits of Chriſt given therein unto the worthy receiver; and not, for giving any adoration to the Sacramental Bread and Wine there bodily received; or in regard of any real or eſſential Preſence of Chriſt's natural Body and Blood.) 'Whereas its or-'dained in the Adminiſtration of the Lord's Supper; 'that the Communicants kneeling ſhould receive the 'Holy Communion, which thing is well meant for a

'ſigni-

'ſignification of the humble and grateful acknowledg-
'ing of the benefits of Chriſt given unto the worthy
'receiver, and to avoid the profanation and diſorders
'which about the Holy Communion might elſe enſue:
'Leſt yet the ſame kneeling might be thought or taken
'otherwiſe, we do declare that it is not meant thereby,
'that any Adoration is done or ought to be done either
'unto the Sacramental Bread or Wine there bodily re-
'ceived, or unto any real and eſſential Preſence there
'being of Chriſt's natural Fleſh and Blood. For as con-
'cerning the Sacramental Bread and Wine, they remain
'ſtill in their natural ſubſtances, and therefore may not
'be adored; for that were Idolatry. And as concern-
'ing the natural Body and Blood of our Saviour Chriſt,
'they are in heaven and not here: for it is againſt the
'truth of Chriſt's true natural Body to be in moe places
'than one at one time. Thus that Rubrick; thought fit to be omitted in the Common-Prayer-Book of Queen *Elizabeth*; of which ſee the Reaſon below § 179. n. 2. Accordingly the Altar was changed into a Table (the ſides whereof were ſet North and South) ſet near the Reading-place; ordered, at the Communion time, to be covered with a fair white Linnen Cloth; the other veſtments prohibited; ſave only a Surplice for a Prieſt, and Rochet for a Biſhop; and, to take away all Superſtition, the Communion Bread appointed to be ſuch as is uſually eaten at the Table; but the pureſt of that ſort that can conveniently be had, *See the Rubricks of King* Edward's *ſecond Common Prayer-Book, Fol.* 126. And laſtly; whereas the firſt gives caution, *that ſo much Bread and Wine ſhall be conſecrated, as ſhall ſuffice for the perſons appointed to receive the Holy Communion*; except ſome ſhall be reſerved for the Communion of the Sick: The ſecond omits any ſuch caution; ordering only, *that the Curate have the remains to his own uſe.*

And Viſita. Sick Fol. 22. § 161. Where *Concerning the reduction of ſome things touching this Preſence made in the new Liturgy for* Scotland *to* K. Edward's *Form.*

But the new Liturgy compoſed for *Scotland*, well diſcerning what theſe alterations aimed at, reduceth all things to the former way; reſtores thoſe words in the Conſecration [*with thy holy ſpirit and word* &c. that

They

They may be unto us the Body &c.] ordering (again) the *Presbyter*, that officiates, *to take the Patin and Chalice in his hands*; and leaving out alſo the caution of *non-elevation*, which was inſerted in the firſt Book of King *Edward*: removes the words added in the delivering of the Myſteries [*Take and eat this* &c.] and inſtead thereof adds after the former words the people's reſponſe [*Amen*] according to the cuſtome of Antiquity (See *Dionyſ. Alexand. apud Euſeb. Hiſtor.* 7. l. 8. c. *Leo Serm.* 6. *de jejunio* 7. *menſis. Auguſt. ad Oroſium quæſt.* 49.) ſpoken as a Confeſſion of their Faith, that they acknowledged that which they received to be *Corpus Domini*. Laſtly requires him that officiates, *that he conſecrate Bread and Wine with the leaſt*, to the end there may be little left; and that *what is left be not carried out of the Church*, but reverently eaten and drunk by ſuch of the Communicants only, as the Presbyter, that celebrates, ſhall take unto him.

§. 162. *Much complained of in* Laudenſium Autocatacriſis.

All this could not paſs the Obſervation of the Scotchman, who in the *Laudenſium Autocatacriſis*, p. 107. thus cenſures it. 'In the next Prayer, ſaith he, [i. e. *that of Conſecration*] are put in the words of the Maſs, where-'by God is beſought by his omnipotent Spirit *ſo to ſanctify the Oblations of Bread and Wine, that they may become to us Chriſt's Body and Blood.*: From theſe words all Pa-'piſts uſe to draw the truth of their Tranſ-ſubſtantia-'tion; wherefore the Engliſh Reformers [i. e. *the latter*] 'ſcraped them out of their Books; but our men put 'them fairly in. And good reaſon have they ſo to do. 'For long ago they profeſſed, that, about the Preſence 'of Chriſt's Body and Blood in the Sacrament after Con-'ſecration, they are fully agreed with *Lutherans* and '*Papiſts*; except only about the formality and mode of 'Preſence [*here quoting Mountag. Appeal*, p. 289.] They 'make an expreſs Rubrick for the Prieſt's *taking the Patin, and the Chalice in his hand*, in the time of Con-'ſecration. Which taking, not being either for his own 'participation, or the diſtribution to others, why ſhall 'we not underſtand the end of it to be, that which the 'Maſs

'Maſs there enjoyns, their Elevation and Adoration? 'The *Elevation* being long ago practiced by ſome of our 'Biſhops; and *Adoration*, when the Patin and Chalice 'are taken in the Prieſt's hands, avowed by *Heylin*'s '*Anſw. to Burt.* p. 137. The Engliſh indeed, in giving 'the Elements to the people, retain the Maſs-words; 'but to prevent any miſchief, that could ariſe in the Autocat. p. 'people's mind from their ſound of a Corporal Preſence, 111. 'they put in at the diſtribution of both the Elements, 'two Golden Sentences: of the *hearts eating by Faith*; 'of the *Soul's drinking in remembrance.* But our men, 'being nothing affraid for the people's belief of a Cor- 'poral Preſence, have pulled out of their hands, and 'ſcraped out of our Book, both theſe Antidotes. And 'the Maſs-words thus quit of the Engliſh Antidotes 'muſt not ſtand in our Book ſimply: but that the people 'may take extraordinary notice of theſe Phraſes, there 'are two *Rubricks* ſet up to their backs, obliging every 'Communicant with their own mouth to ſay their *Amen* 'to them. The Engliſh permit the Curate to carry 'home the relicks of the Bread and Wine, for his private 'uſe: but ſuch Profanity by our Book is diſcharged. 'The Conſecrate Elements are enjoyned to be eaten 'in the Holy place, by the Prieſt alone, and ſome of 'the Communicants that day: yea, for preventing 'of all dangers, a cautel is put in, that ſo *few Elements, 'as may, be conſecrate.* And our Book will have the Ele- 'ments after the Conſecration covered with a *Corporal* &c.

Thus the firſt Form, both when firſt eſtabliſhed in §. 163. King *Edward*'s, and when revived in King *Charles*'s time, found many Adverſaries. But did the new one eſcape any better? No. For when all theſe offenſive things in the ſecond draught were amended according to ſeveral preciſer fancies; yet neither ſo did the ſecond content all palats, for the humour of Innovation knoweth no bounds. Soon after it was framed, as the chief body of the Clergy under Queen *Mary* deſerted both it, and the former, and returned to the old Church-Service; ſo the Engliſh Proteſtants, that were then diſperſed

perſed abroad at *Franckford* in *Germany*, fell into great diſſenſions about it: as ſome for, ſo many againſt, it. See a fuller relation in *Heylin*'s *Hiſt. of Reform.* in Queen *Mary* p. 59. *&c.* And *Calvin* hearing the noiſe thereof, as he had formerly uſed his Pen to the Protector *&c*, againſt the firſt Book; ſo now doth he to the Engliſh in *Franckford*, againſt the ſecond; ſaying, *In Anglicanâ Liturgiâ qualem deſcribitis* [*i. e.* the new one, which ſome of them then uſed at *Franckford*] *multas video fuiſſe tolerabiles ineptias. Sic ergo a talibus rudimentis incipere licuit, ut doctos tamen & graves Chriſti miniſtros ultra eniti & aliquid limatius ac purius quærere conſentaneum foret. Si hactenus in* Anglia *viguiſſet ſincera religio, aliquid in melius correctum multaque detracta eſſe oportuit. Nunc cum, everſis illis principiis, alibi inſtituenda vobis ſit Eccleſia & liberum ſit formam de integro componere* [he thinks it ſeems any Paſtors have power to make to themſelves new Liturgies] *quid ſibi velint neſcio, quos* fæcis Papiſticæ reliquiæ *tantopere delectant. Amant ea quibus aſſueti ſunt? Hoc nugatorium & puerile eſt; &c.* Thus *Calvin*. And ſo *Bucer* likewiſe in his cenſure of the firſt (who died within a few weeks after he had writ it, before the compiling of the ſecond) hath blamed many things that remain in the ſecond. After Queen *Mary*'s death, the ſecond Book being reſtored here again to its former authority, many of the more zealous Reformiſts, both by words and writings, made ſuch oppoſition againſt it, that Queen *Elizabeth*, *in terrorem*, executed two for this cauſe: See before, §. 65. and cauſed Arch-Biſhop *Whitgift* to exact of all thoſe, that entred into the Clergy, a Subſcription *that they would uſe it, and no other Form. Cambd. Eliz. An. Dom.* 1583. *Eccleſiaſtical Can.* 36. Which Subſcription (the party that oppoſed this Book at laſt prevailing) was remitted by the Parliament 1640; and, ſince that, I need not tell you what it hath ſuffered. The old Form ſupplanted the Maſs; the new Form the old; and then the old one being raiſed again out of its aſhes in the new Scotch Liturgy (which began all the troubles) had almoſt brought

Calvin *Ep.* p. 213.

brought, in the late tumults, a fatal overthrow both upon the new one and upon it self. Thus much from §. 143. concerning this *Kings new Liturgies.*

§. 164. *In the abrogation of several Ecclesiastical laws concerning Fasts, Celibacy of the Clergy &c.*

By vertue of such a Supremacy, the King conceiving he had power to alter and reform the Ecclesiastical Laws, tho established by former superior Councils, appointed (the Parliament assenting thereto) eight persons (amongst whom were two Bishops *Cranmer* and *Thirlby*, and *Peter Martyr*) to prepare this work: Who drew up a body of them; which was then made publick, and since, reprinted 1640. But indeed it appeareth not, that this Reformation of them was ever ratified by King, Parliament, or Convocation. By such Supremacy he abrogated all former Church-laws concerning *days of fasting* or abstinence: and appointed those he thought fit, by his own and the Parliaments authority; and dispensed with whom he thought fit, for not observing them. See Stat. 2, 3. *Edw.* 19. chap. Wherein after a Preface declaring, 'That the Kings Subjects now 'had a more perfect and clear light of the Gospel and 'true word of God shewed, declared and opened, thro 'the mercy of God, by the hands of the Kings Majesty, 'and his most noble Father; and thereby perceived, that 'one day or meat of it self is not more holy, more pure, 'or more clean, than another *&c.* [*as if the former Church, which they left, had taught them otherwise*] after 'this Preface, I say, the King with the consent of Parlia-'ment first ordains, That all manner of Statutes, Laws 'and Constitutions concerning any manner of fasting, 'or abstinence from any kinds of meats, shall, from the 'first of *May* next ensuing, loose their force and strength, 'and be void and of none effect. Then sets down the 'days upon which he will have abstinence from flesh ob-'served, upon the Penalty of paying Ten Shillings, and 'suffering ten days Imprisonment; except those, who 'being not enfeebled with age or sickness, shall receive 'a licence to eat flesh from the King or his Successors. For you must know, that the maker of a Law hath power to dispense with it. But here note, that only *abstinence*

See the Preface to Reform. Leg. Eccl.

from fleſh is enjoyned on thoſe days by this Statute; not *Faſting*: nor is Faſting enjoyned by any other Statute that I can find; ſave only on Holy-day-Eves, by a Statute made two or three years after. Neither is there any obligation for the obſervation of either faſting or abſtinence on theſe days, by any expreſs Canon of this Church reformed (whenas now the former Church-Laws concerning this were by the Kings Supremacy nulled in this Act;) but only, by Act of Parliament; and the end of ſuch abſtinence, in the Parliament, *Act* 5. *Eliz.* 5. c. profeſſed to be only upon a *Politick conſideration*, the increaſe of Fiſhermen and Mariners, *&c.* 'And 'not for any Superſtition (ſaith that Act) to be main-'tained in the choice of meats; or, as if ſuch forbear-'ing of fleſh were of any neceſſity for the ſaving of the 'Soul of man; or, that it is the Service of God, other-'wiſe, than as other Politick Laws are and be. Tho King *Edward* in the fore-cited Statute, I confeſs, mentions partly another end: *viz.* becauſe that due and godly *abſtinence is a means to vertue, and to ſubdue mens bodies to their Soul and Spirit*; And I doubt not, that many devout perſons in this Church holding themſelves bounden to the former Eccleſiaſtical Conſtitutions, notwithſtanding the Kings abrogation, have ſtill obſerved this duty in obedience thereto. See likewiſe 5, 6. *Edw.* 6. 3. c. the ſame Regal authority appointing the Holy-days. And theſe things are done in Parliament, without the leaſt mentioning or referring to any Synod.

Stat. 5, 6. *Edw.* 6. 3. c.

§. 165. Likewiſe by vertue of ſuch Supremacy, the King with conſent of Parliament ordained, 'That all Laws poſ-'tive, Canons, Conſtitutions heretofore made by man 'only, which prohibit Marriage to any Spiritual Per-'ſon, who by Gods Law may lawfully marry, ſhall be 'utterly void and of none effect: and this upon con-'ſideration (as it is in the Preface of the ſame Act) of 'ſuch uncleanneſs of living and other great inconveni-'ences which have followed of compelled chaſtity [*as if the Church compelled any perſon to ſuch chaſtity*; *except* hypothetically, *if he will take on him ſuch a profeſſion.*

Stat. 2, 3. *Edw.* 6. 21. c.

Or

Or as if in this the Church enjoyned any thing, which ſhe firſt ſtated not to be in every ones power to obſerve, if uſing a juſt endeavour?] Now whereas it is ſaid, in 5. 6. *Edw.* 6. 12. 'That the ſlanderous reproach of holy 'Matrimony [i. e. *of Prieſts*] doth redound to the 'diſhonour of the Clergy of this Realm; who have 'determined the ſame [*Marriage of Clergy*] to be moſt 'lawful by the Law of God, in their Convocation, as 'well by their common aſſent, as by the ſubſcription 'of their hands: Such aſſent, as likewiſe that which they ſay to the ſame purpoſe in the 42 Articles Art. 31. no way oppoſeth the Law of the Church. For things moſt lawful by Gods Law (as Marriage of the Clergy is, by the Church, allowed to be) yet may be lawfully prohibited by the Church: Whoſe Law in this matter the Clergy of this land juſtified in the third and fourth of the Six Articles. Neither, if they had here oppoſed it (as they do not) would their ſentence be of any force; becauſe contrary to the Conſtitution of former ſuperiour Councils.

§. 166. *Laſtly, In the Edition of 42 Articles of Religion different from the former doctrines of the Church.*

By vertue of ſuch Supremacy, the King in the Sixth year of his Reign publiſhed by his authority 42 *Articles of Religion*, containing ſeveral matters of Faith, which are there ſtated contrary to the definitions of former ſuperiour Councils. Which Articles are ſaid indeed to have been firſt decreed and agreed on by a Synod of the Clergy held at *London*; the Title prefixed to them being this, *Articuli, de quibus in Synodo* London. *An. Dom.* 1552. *ad tollendam opinionum diſſenſionem & conſenſum veræ religionis firmandum inter Epiſcopos & alios eruditos viros convenerat, regiâ authoritate in lucem editi.* But this I cannot thus eaſily concede, notwithſtanding this Title. Thus far indeed I grant; that they ſeem to be compiled or conſented to by ſome members of that Synod, whom the King after the Synod had appointed (the Synod leaving this buſineſs to him) to draw up ſuch Eccleſiaſtical Laws: and ſo I grant that *de illis convenerat inter Epiſcopos & alios eruditos viros qui erant pars aliqua Synodi* London. But that theſe Articles were

Where whether theſe Articles were priſed by any Synod.

publiſhed, eſtabliſhed, or paſſed by that Synod, I think there is good reaſon to deny, from theſe relations which follow.

§. 167. Where I will firſt tranſcribe you, what Mr. *Fuller*, *Hiſt. Eccleſ.* 7. l. p. 420. who had peruſed the Records concerning it, ſaith of this Synod or Convocation. 'As 'for the Records of this Convocation (ſaith he) they 'are but one degree above blanks, ſcarce affording the 'names of the Clerks aſſembled therein (for which ſee 'alſo *Heylin*'s *Hiſt. of Reform. King Edw.* p. 121.) In-'deed they had no Commiſſion from the King to meddle 'with Church-buſineſs; and no Convocation can hear 'complaints in Religion, nor ſpeak in redreſs thereof, 'till a Commiſſion be granted unto it from Regal au-'thority. Now the true reaſon, why the King would 'not entruſt the diffuſive body of the Convocation with 'a power to meddle with matters of Religion, was a 'juſt jealouſy, which he had, of the ill-affection of the 'major part thereof; who, under a fair rind of Pro-'teſtant Profeſſion, had the rotten core of Roman Su-'perſtition. It was therefore conceived ſafer for the 'King to rely on the ability and fidelity of ſome ſelect 'confidents cordial to the cauſe of Religion, than to 'adventure the ſame to be diſcuſſed and decided by a 'ſuſpected Convocation. However this barren Convo-'cation is entitled the Parent of thoſe Articles of Re-'ligion, 42 in number, which are printed with this 'Preface; *Articuli, de quibus* &c. as is recited before. 'With theſe Articles was bound a Catechiſme, younger 'in age, as bearing date of the next year, but of the 'ſame extract, relating to this Convocation as Author 'thereof. Indeed it was firſt compiled, as appears in 'the Kings Patent prefixed, by a ſingle Divine (character-'ed pious and learned:) but afterwards peruſed and 'allowed by the Biſhops and other learned men (under-'ſtand it the Convocation;) and by Royal authority 'commended to all Subjects, commanded to all School-'Maſters to teach their Scholars. Yet very few in the 'Convocation ever ſaw it, much leſs explicitly con-'ſented.

'ſented thereunto. But theſe had formerly, it ſeems, 'paſſed over their power to the ſelect Divines appointed 'by the King. In which ſenſe they may be ſaid to have 'done it themſelves by their Delegates, to whom they 'had deputed their authority. A caſe not ſo clear, 'but that it occaſioned a Cavil, at the next Convoca-'tion in the firſt of Queen *Mary*: When the Papiſts [i. e. *all the Convocation ſave ſix perſons*] therein aſſem-'bled renounced the legality of any ſuch former Tran-'ſactions. *Thus Mr.* Fuller, one intereſted in this mat-ter on the other ſide.

Next, if you would know the queſtioning of this Ca- §. 168.
techiſme (to which as well as the Articles, was preten-ded the name of the Synod) and the anſwer returned thereto; In the Relation made thereof in *Fox* p. 1282. thus ſpeaks the Prolocutor Dr. *Weſton* to the Convoca-tion concerning it: 'For that (ſaith he) there is a Book 'of late ſet forth, called the *Catechiſme*, bearing the 'name of this Honorable Synod [i. e. *the laſt which ſate*;] 'and yet put forth without their conſents, as I have 'learned, being a Book very peſtiferous and full of He-'reſies; and likewiſe a Book of *Common Prayer*, very 'abominable: I have thought it therefore beſt, firſt to 'begin with the Articles of the Catechiſme, concern-'ing the *Sacrament of the Altar*, to confirm the natural 'Preſence of Chriſt in the ſame, and alſo Tranſubſtan-'tiation. [*for which conference the next Fryday being ap-pointed*] Then (ſaith the relation) the Prolocutor ex-'hibited two Bills unto the Houſe; (The one, for [the 'forementioned Article of the Catechiſme] *the natural Preſence of Chriſt in the Sacrament of the Altar*; the other concerning the Catechiſme; *that it was not by that Houſe's agreement* [formerly] *ſet forth*; and that they *did not* [for the preſent] *agree thereunto*) requiring all them 'to ſubſcribe to the ſame; as he himſelf had done. Where-'unto the whole Houſe did immediately aſſent; except ſix. *Jo. Philpot* [*one of the ſix Renegers*] ſtood up and ſpake firſt concerning the *Catechiſme*; 'That he thought, 'they were deceived in the Title of the Catechiſme,

'in

'in that it beareth the Title of the *Synod of London* laſt 'before this; altho many of them, which then were 'preſent, were never made privy thereof in ſetting it 'forth: for that this houſe had granted the authority 'to make Eccleſiaſtical Laws unto certain perſons to be 'appointed by the Kings Majeſty; and whatſoever Ec- 'cleſiaſtical Laws they or the moſt part of them did ſet
3,4. Edw. 6. 21, c. 'forth, according to a Statute in that behalf provided, 'it might well be ſaid to be done in the Synod of *Lon- 'don*; altho ſuch as be of the Houſe now had no notice 'thereof before the promulgation. And that in this 'point he thought the ſetter-forth thereof nothing 'to have ſlandered the Houſe, as they by their Subſcrip- 'tion went about to perſwade the world; ſince they '(ſaith he) had our Synodal authority committed unto 'them to make ſuch Spiritual Laws, as they thought 'convenient and neceſſary. This concerning the *que- ſtioning* of this Catechiſme and Articles in the beginning of Queen *Mary*'s days; and the *Anſwer* returned thereto. But to clear the matter a little further; We find in the ſame *Fox* p. 1704, after this, Arch-biſhop *Cranmer*, in his tryal before the Commiſſioners at *Oxford*, (*Brooks* Biſhop of *Glouceſter* and others) charged amongſt other things with being the *Author of this Catechiſme and Arti- cles*, and with *compelling men* againſt their wills *to ſub- ſcribe* them; the former of which he there confeſſeth; but denyeth the latter. The words in *Fox* are, ---7th *In- terrog. Item.* 'That the ſaid *Tho. Cranmer* did fly and 'recuſe the authority of the Church; did hold and fol- 'low the Hereſy concerning the *Sacrament of the Altar*, 'and alſo did compile and cauſed to be ſet abroad divers 'Books. *Anſwer.* Whereunto when the names of the 'Books were recited to him he denyed not ſuch Books, 'which he was the true Author of. As touching the 'Treatiſe of *Peter Martyr upon the Sacrament*, he denyed 'that he ever ſaw it before it was abroad; yet did ap- 'prove and well like of the ſame. As for the Catechiſme, 'the Book of Articles, with the other Book againſt '*Wincheſter* he granted the ſame to be his doings. 8th *In- terrog.*

'*terrog.*' *Item*, That he compelled many againſt their 'wills to ſubſcribe to the ſame Articles. *Anſwer.* He 'exhorted (he ſaid) ſuch as were willing to ſubſcribe: 'but againſt their wills he compelled none.'

Having given you theſe three relations, now to reflect a little on them. Firſt, if you well conſider the words in the Title of the Articles, *de quibus inter Epiſcopos & alios eruditos viros* &c. they ſeem not the ordinary expreſſion of a Synodal Act which runs more generally; as thus [*de quibus convenit inter Archiepiſcopos, Epiſcopos, & Clerum univerſum*] or the like. Next, you may obſerve, that tho the *Prolocutor* in the Synod 1° *Mariæ* queſtioneth, and *Philpot* anſwereth concerning the Catechiſme, why it ſhould be publiſhed in the name of the Synod; yet they both ſpeak, not of the Catechiſme taken by it ſelf; but only of the Articles which were firſt printed at the end of this Catechiſme, and bound up with it; which the Prolocutor therefore calls the *Articles of the Catechiſme*, and propoſeth the matter of the 28*th* of theſe Articles for diſputation; and ſo alſo calleth them the *Catechiſme*, becauſe the firſt title of this Book is *Catechiſmus brevis* &c. Now that they muſt ſpeak of the Articles is plain; becauſe the Catechiſme as taken by it ſelf is not at all entitled to the Synod; but only the Articles at the end thereof. The Title of the Catechiſme is only this *Catechiſmus brevis Chriſtianæ diſciplinæ ſummam continens omnibus Ludimagiſtris authoritate regiâ commendatus.* Neither do thoſe words in *Philpot*'s Anſwer [*that the houſe had committed their Synodal authority to certain perſons to be appointed by the King to make ſuch Eccleſiaſtical Laws as they thought convenient* &c.] agree at all to this Catechiſme; but to the Articles only. For this Catechiſme was made before by a private perſon (that is, by the Arch-biſhop, if we may believe his own confeſſion related above) and afterward approved only by ſome Biſhops and other *eruditi viri*, as the King ſaith in the Preface thereof. *Cum brevis & explicata Catechiſmi ratio a pio quodam & erudito viro conſcripta nobis ad cognoſcendum offerretur, ejus diligentem* §. 169.

gentem inquiſitionem quibuſdam epiſcopis & aliis eruditis commiſimus, quorum judicium magnam apud nos authoritatem habet; & quia conveniens cum ſcripturis &c. *viſa eſt, placuit non ſolum eum in aſpectum lucemque proferre, ſed etiam propter perſpicuitatem omnibus ludorum magiſtris ad docendum proponere* &c. Neither is this Catechiſme abſtracted from the Articles any ſuch peſtiferous Book, or ſo full of Hereſies, as the *Prolocutor* complains of; being compoſed in general terms for School-boys; and not ſtating, ſcarce touching, any controverſy. Add to this, that, tho the Catechiſme was not made by the Synod, yet if the 42 Articles that were then printed and bound with the Catechiſme, were framed by it; neither had the Prolocutor any reaſon to have fallen upon and gotten hands againſt the Catechiſme, as being falſly aſcribed to that Reverend Aſſembly, (when as, that, which was far more oppoſite to that which he accounted the Orthodox Religion, (namely theſe Articles) were known to be paſſed by them;) Neither would *Philpot* have concealed this matter; ſince this known Act of the Synod compoſing theſe Articles would have juſtified that Act of the Delegates compoſing the Catechiſme; for the Doctrine of the Catechiſme is contained in the Articles. But, if by this Catechiſme both the *Prolocutor* and *Philpot* meant the Articles at the end thereof, (as it cannot be otherwiſe) then *Philpot* hath revealed to us all the truth concerning the compoſing or ratifying of them; and why, in the impreſſion, they were aſcribed to the Synod: Namely becauſe the Synod had given authority to thoſe the King ſhould nominate, to make Eccleſiaſtical Laws; and ſo by thoſe perſons (being *Epiſcopi & alii eruditi viri*) were theſe Articles compiled or confirmed; the Synod it ſeems leaving both this matter, and the election of the perſons for doing of it to the Kings care, without reſerving any review thereof to themſelves, contrary to the Firſt, Second and Sixth *Theſes*. But Mr. *Philpot* diſcovers the motive which this Synod (if he meant this, and not ſome former Synod) might have to do this, when he mentions a former

Act

Act of Parliament, 3, 4. *Edw.* 6. 11. c. enſtating the King in this power; which Act was made two years before the Seſſion of this Synod: but then this is ſomewhat ſtrange, that what was acknowledged (formerly) as the Kings right, is (now) made by Mr. *Philpot* tho Clergy's conceſſion to him. Thus then were theſe Articles made, not by, but after, the Synod: and this is the reaſon, why tho the production of ſuch a Body of Articles would have been by much the ſolemneſt Act of a Synod, that was done in King *Edward*'s days; yet both the Records and the Hiſtorians, *Fox*, *Godwin*, *Antiquitates Britanicæ*, and thoſe others, that I have ſeen, are ſilent therein. And the Arch-biſhop, to whom it would have been an excellent defence, to have ſhewed them, tho of his compiling, yet to have been confirmed and generally ſubſcribed by ſuch a full Synod; yet he alſo pleads no ſuch thing. And hence we may learn the reaſon of that which Dr. *Heylin* obſerveth p. 25. 'That 'tho a Parliament was held at this very time, and that 'this Parliament had paſſed ſeveral Acts, which con-'cerned Church-matters, as, an Act for *Uniformity of* '*Divine Service*, and for the *Confirmation of the Book of* '*Ordination* 5, 6. *Edw.* 6. 1. c. An Act declaring, *which* '*days ſhall only be kept for Holy*-days, and which for *Faſt*-'*ing*-days. 3. c. An Act againſt *ſtriking* or drawing 'any weapon *in the Church*, or Church-yard. 4. c. An 'Act for the *legitimating of the Marriages of Prieſts*. '12. c.: Yet neither in this Parliament (ſaith he) nor 'in that which followed, is there ſo much as the leaſt 'Syllable which reflecteth this way, or medleth any 'thing at all with the Book of Articles. *Thus Dr.* Heylin. Which Obſervation, as to him it affords an Argument, that Religion reformed in theſe Articles therefore can be called *no Parliament-Religion*; ſo to me, that it was alſo no *Synodal-Religion*: becauſe we ſee the Parliaments in King *Edward*'s time corroborating or rather preventing the Synod in all other Tranſactions about the Reformation. See before, §. 47. Neither can it be ſaid improper to the Parliament to enjoyn obedience to theſe,

as well as it had done to other Church- or Synod-decrees.

§. 170. If it be urged here, what *Philpot* urged of the Catechiſme, that theſe Articles are *Synodical*; becauſe the Synod conceded to the King the election of ſuch perſons, who ſhould frame and publiſh theſe Articles, without any communicating them firſt to the Synod: See the Anſwer returned to this before, §. 42.

CHAP. XI.

The Actings of Queen Elizabeth *in Eccleſiaſtical Affairs: And of the unlawful Ejection of the* Catholicks.

§. 171. *3. The Actings of Qu. Eliz. in Eccleſiaſtical matters.*

All the former decrees of the Clergy in King Henry and Edw. days being reverſed by the Clergy in Q. Mary's days.

HAving thus from §. 104. viewed the courſe of the Reformation under King *Edward*; now I paſs to that under Queen *Elizabeth*, one much intereſſed to renew an oppoſition to the Pope; in as much as his pronouncing King *Henry*'s Marriage with *Anne Bullen* her Mother unlawful, invalidated her Title to the Crown. Upon which *Mary* the Queen of *Scots* a Catholick, newly married to the *Daulphin* of *France*, and animated by the Pope, did alſo aſſume unto her ſelf the Stile and Title of *Queen of England* (as Coſin and next Heir to Queen *Mary* deceaſed) quartering the Arms thereof upon all her Plate and Eſcutcheons. Only let me firſt mind you this concerning Queen *Maries* Reign that lyeth between; That whatever the Reformation had built upon any Synodal vote under *Henry* the Eighth, or *Edward* the Sixth, was now revoked and demoliſhed under Queen *Mary*, by the like Synods of a legal Clergy; as is ſhewed before §. 52. The Supremacy in Eccleſiaſtical matters was re-acknowledged by this National Synod, now, not due to the Civil, but to the Eccleſiaſtical, Chief Governor, the Biſhop of *Rome*, the *Patriarch* of the Weſt: yet not challenged by him in ſo high a degree, as theſe Princes uſed it. The Six *Articles*, eſtabliſhed by Synod

in

in *Henry* the Eighth's days, as alſo the ancient *Church Liturgy*, ancient *Form of Ordination*, ancient way of *Tryal of Hereticks*, ancient *Canons* &c, were now by the like Synodal power again reſtored, and re-inforced. See before, §. 48. So that the Reformation under Queen *Elizabeth* was to begin upon a new foundation, without grounding any plea upon any Synodal Act or conſent of the Clergy made in King *Henry* or King *Edward* s days; either concerning the new Supremacy, or the new Liturgy, or the new 42 Articles of Religion, *&c*: ſince all theſe were by the ſame Synodal anthority in Queen *Mary*'s days diſclaimed. Here ſeemeth no evaſion: If we accept the decrees of later Synods, rather than of former; then Queen *Mary*'s Synods will void King *Henry*'s and King *Edward*'s: But if of former Synods, rather than of later; then the Synods of *Henry* the Eighth, and of former times for the Six Articles *&c*. will void King *Edward*'s, and Queen *Elizabeth*'s too.

And here firſt, concerning the courſe which Queen §. 172.
Elizabeth took in repairing the Reformation defaced by Queen *Mary*, Dr. *Heylin* ſpeaks thus of it in general. *Reform. Juſtified*, p. 37. 'In Queen *Elizabeth*'s time '(ſaith he) before the new Biſhops were well ſetled, 'and the Queen aſſured of the affections of her Clergy, 'She went that way to work in her Reformation, which 'not only her two Predeceſſors, but all the godly Kings 'and Princes in the Jewiſh State, and many of the Chri-'ſtian Emperors in the Primitive times, had done be-'fore her; in the well ordering of the Church and Peo-'ple committed to their care and government by God. 'And to that end ſhe publiſhed her *Injunctions An. Dom.* '1559. A Book of *Orders* 1561. Another of *Advertiſe-'ments* 1562. all tending unto the Reformation; with 'the advice and counſel of the Metropolitan [*him, that was firſt ordained ſo by her appointment*] and ſome other 'godly Prelates, who were then about her: by whom 'they were agreed on, and ſubſcribed unto, before they 'were preſented to her. But when the times were better 'ſetled, and the firſt difficulties of her Reign paſſed over;

'ſhe left Church work to the diſpoſing of Church-men; 'who by their place and calling were moſt proper for 'it: and they being met in Convocation, and thereto 'authorized, as the Laws required, did make and pub-'liſh ſeveral Books of *Canons* &c. *Thus the Doctor.* The brief of which is, That Queen *Elizabeth did the Church-work at firſt her ſelf without any Synodal authority of the Church-men* (as not being aſſured of their affection) *till ſhe had ſetled new Church-men according to her mind; and then ſhe did Church-work by Church-men.*

§. 173. Her calling of a Synod which declareth againſt the Reformation.

This teſtimony premiſed concerning her proceedings in general. Now to mention ſome particulars which are of the moſt note. In the beginning of her Reign the Queen together with a Parliament called alſo a Synod; in which *Bonner* Biſhop of *London*, in the vacancy of the Arch-Biſhoprick of *Canterbury*, was Preſident; and Dr. *Harpsfield* was Prolocutor for the inferiour Clergy. But this Synod continued in the former reſolutions made under Queen *Mary*; and remained inflexible to the Queens inclinations, and the Reformation: nay, declared againſt it. The full relation of which Synod I will give you out of Mr. *Fuller*'s *Hiſtory* 9. l. p. 54. (who copyed it out of *Lib. Synod*, 1559.) becauſe tho ſomewhat long, yet it is very remarkable. 'The Convocation at this time (ſaith he) was very ſmall 'and ſilent. For as it is obſerved in nature, when one 'twin is of an unuſual ſtrength and bigneſs, the other 'born with him is weak and dwindleth away: So here, 'this Parliament being very active in matters of Religi-'on, the Convocation, younger brother thereunto, was 'little employed, leſs regarded. Yet in it, in the lower 'Houſe of Convocation were paſſed over certain Arti-'cles of Religion; which they tendred to the Biſhops, 'that they might preſent them to the Parliament. The 'Biſhops likewiſe by their *Preſident* Biſhop *Bonner* pre-'ſented them to the Lord *Keeper*. Likewiſe in the tenth 'Seſſion of this Convocation an account was given in 'by both the *Univerſities* in an Inſtrument under the hand 'of a publick Notary; wherein they both did concur to

'the

'the truth of the foreſaid Articles the laſt only excepted.

'The Articles together with their Preface are theſe, §. 174.
'which (ſaith he) we here both tranſcribe and tranſlate
'(copyed by me out of the Original) conſidering, they
'are the laſt in this kind, that ever were repreſented
'in *England* by a legal Corporation in defence of the
'Popiſh Religion.

Reverendi in Chriſto Patres ac Domini Colendiſſimi. §. 175.
Quoniam, famâ publicâ referente, ad noſtram nuper notitiam pervenit, multa religionis chriſtianæ dogmata publico & unanimi gentium chriſtianarum conſenſu hactenus recepta & probata, atque ab Apoſtolis ad nos uſque concorditer per manus deducta, præſertim Articulos infra ſcriptos, in dubium vocari: Hinc eſt, quod nos Cantuarienſis *Provinciæ inferior ſecundarius Clerus in uno (Deo ſic diſponente, ac Seren. Dominæ noſtræ Reginæ, Decani & Capituli Cant. mandato,* Brevi *Parliamenti, ac monitione eccleſiaſticâ ſolitâ declaratâ id exigente) convenientes, partium noſtrarum eſſe exiſtimavimus, tum noſtræ, tum eorum, quorum cura nobis committitur, ſaluti, omnibus quibus poterimus modis proſpicere. Quocirca majorum noſtrorum exemplis commoti, qui in ſimilia ſæpè tempora inciderunt, fidem, quam in Articulis infra ſcriptis veram eſſe credimus, & ex animo profitemur, ad Dei laudem & honorem, officiique, & aliarum noſtræ curæ commiſſarum animarum exonerationem, præſentibus duximus publicè afferendam, affirmantes, & ſicut Deus nos in die Judicii adjuvet, aſſerentes.*

1. *Quod in* Sacramento Altaris, *virtute* Chriſti *verbo ſuo a Sacerdote debitè prolato aſſiſtentis, præſens eſt realiter ſub ſpeciebus Panis & Vini naturale Corpus* Chriſti *conceptum de Virgine* Mariâ. Item *naturalis ejus Sanguis.*

2. Item. *Quod poſt Conſecrationem non remanet ſubſtantia panis & vini, neque ulla alia ſubſtantia, niſi ſubſtantia* Dei & Hominis.

3. Item. *Quod in* Miſsâ *offertur verum* Chriſti Corpus *& verus ejuſdem* Sanguis, *Sacrificium propitiatorium pro vivis & defunctis.*

4. Item. *Quod* Petro Apoſtolo *& ejus legitimis Succeſſoribus in Sede* Apoſtolicâ *tanquam* Chriſti *vicario data eſt.*

eſt ſuprema poteſtas paſcendi & regendi eccleſiam Chriſti *militantem, & fratres ſuos confirmandi.*

5. Item. *Quod authoritas tractandi & definiendi de iis quæ ſpectant ad* fidem, Sacramenta, & diſciplinam eccleſiaſticam, *hactenus ſemper ſpectavit, & ſpectare debet tantum ad* Paſtores *eccleſiæ,* quos Spiritus Sanctus *in hoc, in eccleſiâ* Dei, *poſuit; & non ad* Laicos [In which Article (penned with ſome tender ſenſe of the invaſion which formerly in King *Henry* and King *Edward*'s days had been made upon the Clergy-rights) both the Regal and Parliamentary power being excluded totally by a [*tantum ad Paſtores*] not only a *definiendo*, but a *tractando*, not only *quæ ad fidem*, but *quæ ad diſciplinam eccleſiaſticam ſpectant*, I ſuppoſe made the Univerſity ſo cautious to ſubſcribe thereto.]

Quam noſtram aſſertionem, affirmationem & fidem nos inferior Clerus prædictus veſtris Paternitatibus tenore præſentium exhibemus; humiliter ſupplicantes, ut quia nobis non eſt copia hanc noſtram ſententiam & intentionem aliter illis, quorum in hac parte intereſt, notificandi, Vos, qui Patres *eſtis, iſta ſuperioribus ordinibus ſignificare velitis. Quâ in re officium charitatis ac pietatis (ut arbitramur) præſtabitis; & ſaluti gregis veſtri, ut par eſt, proſpicietis, & veſtras ipſi animas liberabitis.*

§. 176. Theſe were the *laſt words and teſtament* as it were of the ancient Clergy now expiring; ſeeing their definitive authority aſſumed by the Laity, and, upon this, a flood of innovations coming upon them. Which Proteſtation of theirs remaineth upon record to all generations, to ſhew, that, in the Reformation, the Laity deſerted their former *Guides*, and *Spiritual Fathers* the Clergy, in *Henry* the Eighth's, and Queen *Mary*'s days, all conſtant to the ancient Church-doctrines (ſaving only *Supremacy* for King *Henry*'s time;) and alſo in King *Edward*'s days, the major part of this Clergy, tho externally guilty of ſome diſſimulation, yet inwardly retaining the ſame judgment, as may be ſeen by what is acknowledged above §. 122. *&c.* and 127.

§. 177. This Declaration of the Clergy and Univerſities was ended

ended in the Queens propoſal of a Diſputation in *Weſtminſter* Church, between ſome of the Biſhops and others of Queen *Mary*'s Clergy, and ſome of the reformed Divines lately returned home from beyond Sea. Of which Diſputation the Lord Keeper *Bacon*, one of the Proteſtant Religion, was appointed the *Moderator*. The three Queſtions which were propoſed by the reforming party to the Biſhops to be the ſubject of the Conference were theſe. 1. *It is againſt the word of God, and the Cuſtome of the ancient Church to uſe a tongue unknown to the people in Common-Prayer, and the adminiſtration of the Sacraments.* 2. *Every Church hath authority to appoint, take away and change Ceremonies and Eccleſiaſtical Rites, ſo the ſame be to edification.* 3. *It cannot be proved by the word of God, that there is in the Maſs offered up a Sacrifice propitiatory for the quick and dead.* Of which queſtions to paſs by the firſt (there being nothing either in the former *Convocation-Articles*, or in any decree of former Church, againſt the lawfulneſs of having the Divine Service in a known tongue; which is all that the Reformation deſires in this matter; and which could be no occaſion of difference among Chriſtians, were all other Controverſies of Doctrine well compoſed.) In the ſecond Queſtion, it ſeems to me ſomewhat ſtrange; that, whereas the Convocation ſpeaks chiefly of the authority of defining points *de fide*; and contends, that the authority of defining ſuch points belongs not to the Laity, or to any Civil Power, but only *ad Paſtores*; and whereas alſo the main of the Reformation conſiſts in altering ſuch Doctrines belonging to Faith, and not in altering ſome Rites and Ceremonies: yet the queſtion here ſtretcheth no further than to *Rites and Ceremonies*; and then ſpeaks of theſe as alterable, not by the Laity, or a Civil Power, but by a particular Church; *i. e.* as I ſuppoſe, by the Clergy thereof. And then leaves us in the dark alſo; whether this particular Church be put here as contradiſtinct only to other *particular* Churches, on which it is independent, and hath this power granted to it by all: or be put as contradiſtinct to

A Diſputation between the Biſhops and the reformed Divines.

1. Fox *p.* 1924.

2.

3.

to the Church *Univerſal*, or to Superior Councils; on which ſurely it hath ſome dependance. Again; in the laſt queſtion, it ſeems as ſtrange; that, whereas the Convocation in their Preface founds this Article together with the reſt on Primitive and Apoſtolical Tradition, as well as on Scripture: *Publico chriſtianarum gentium conſenſu* &c. *atque ab* Apoſtolis *ad nos uſque* &c. And whereas the reformed, in the firſt queſtion, (where ſeemed ſome advantage) add the cuſtome of ancient Church to the teſtimony of the Scriptures; and
Fox *p.* 1922. in their Preface promiſe adherence to the Doctrines and Practice of the Catholick Church (unleſs there be ſome evaſion in the limitation there uſed, where they ſay, *by Catholick Church* they mean that Church *which ought to be ſought in the holy Scriptures, and which is governed and led by the Spirit of Chriſt:*) Yet here they uſe that reſtraining Clauſe [*it cannot by the word of God be proved*;] the judgment of the ancient Church, the authoritative expounder of the word of God, being indeed in this matter very clear againſt them. See *Diſcourſe of Euchariſt*, §. 92. 111, *&c.*

§. 178. If you would know, what end this Diſputation had, it is thus ſet down in *Cambden*, *Hiſt. Eliz. An. Dom.* 1559. 'That all came to nothing: for that, after a few 'words paſſed to and fro in writing, they could not 'agree about the manner of diſputing. The Proteſtants 'triumphing, as if they had gotten the victory; and 'the Papiſts complaining, that they were hardly dealt 'withal, in that they were not forewarned of the que'ſtions above a day or two before: and that Lord 'Keeper *Bacon* (a man little verſed in matters of Di'vinity, and a bitter enemy of the Papiſts) ſate as *Judge*, 'whereas he was only appointed as *Moderator*, or keeper 'of Order. But the very truth is; that they weigh'ing the matter more ſeriouſly durſt not, without con'ſulting the Biſhop of *Rome*, call in queſtion ſo great 'matters, and not controverted in the Church of *Rome*; 'exclaiming every where: *When ſhall there be any certainty touching Faith? Diſputations concerning Religion do always*

always bend that way as the Scepters incline: and ſuch like. 'And ſo hot were the Biſhops of *Lincolne* and *Wincheſter*, 'that they thought meet, that the Queen and the Au- 'thors of this falling away from the Church of *Rome* 'ſhould be ſtricken with the cenſure of Excommunica- 'tion. But the wiſer ſort reſolved, that this cenſure 'was rather to be left to the Biſhop of *Rome*; leſt they, 'being Subjects, ſhould ſeem to ſhake off their obedience 'to their Prince, and take up the banner of Rebellion. *Thus Cambden.* Now the contention about the manner of diſputing, which *Cambden* omits, was, *what ſide ſhould ſpeak laſt*; which the Biſhops, becauſe of their dignity, deſired to do, after having obſerved: *that their cauſe ſuffered by the other ſide ſpeaking laſt* cum applauſu populi, *the verity on their ſides being thus not ſo well marked.* But this the Queens Council would not yield to them, the firſt agreement being pretended contrary; and ſo that conference ceaſed. Fox p. 1926.

After this Diſputation followed the ſuppreſſing[1], of the *Maſs*; of the *Popes Supremacy*; of the Six *famous Articles* reſtored to their vigor by the Clergy in Queen *Mary*'s days: the re-eſtabliſhing of the *Regal Supremacy*, in all thoſe ſpiritual Juriſdictions, which had formerly by any ſpiritual power been lawfully uſed over the Eccleſiaſtical State in theſe Dominions. To which Supremacy alſo were reſtored the *tenths* and *firſt fruits* given back by Queen *Mary*, and (upon pretence, that the Crown could not be ſupported with ſuch honor as it ought to be, if reſtitution were not made of ſuch Rents and Profits as were of late diſmembred from it) all thoſe Lands again were reſumed by this Queen, which were returned to the Church or Religious Orders by Queen *Mary*. Beſides which, becauſe there were many Impropriations and Tithes, by diſſolution of Religious Houſes, inveſted in the Crown, the Queen kept ſeveral Biſhopricks void, till ſhe had taken into her hands what Caſtles, Mannors and Tenements ſhe thought good; returning unto the Biſhops as much annual rent of Impropriations and Tithes; (but this an extended inſtead

[1] §. 179. n. r. *The Regal Supremacy and all that K. Edw. had done in the Reformation now re-eſtabliſhed by the Queen and Parliament.*

of the other old, rent.) *Biſhopricks being thus kept void alſo in following times one after another, upon ſeveral occaſions* (ſaith Dr. *Heylin*) *till the beſt flowers in the whole Garden of the Church had been culled out of it.* See his *Hiſtory of Queen Elizabeth*, p. 120, 121. 156. and before in *Edw.* 6. p. 18. *&c.*

§. 179. n. 2. Again: Now alſo followed the re-eſtabliſhing of King *Edward*'s later Form of Common-Prayer; but altered firſt in ſome things by eight Learned men, all of the reformed party, and non-Biſhops, to whom the reviewing thereof was committed by the Queen. 'In 'which review (ſaith Dr. *Heylin, Hiſt. of Reform. Qu. 'Elizabeth*, p. 111.) there was great care taken for 'expunging all ſuch paſſages as might give any ſcandal 'or offence to the Popiſh party, or be urged by them 'in excuſe for their not coming to Church. Therefore 'out of the Litany was expunged the Petition *to be delivered from the tyranny and all the deteſtable enormities of the Biſhop of Rome.* And whereas in King *Edward*'s ſecond Liturgy the Sacrament was given only under this Form: *Take and eat this in remembrance* &c. (ſee before, §. 160.) The Form alſo of King *Edward*'s firſt Liturgy was joined to it, *The Body of our Lord* &c. *Take and eat*; leſt (ſaith that Author) under colour 'of rejecting a *Carnal*, they might be thought alſo to 'deny ſuch a *Real*, Preſence, as was defended in the 'writings of the ancient Fathers. Likewiſe the Ru-'brick about Adoration mentioned before *ibid.* was alſo 'expunged upon the ſame ground. And to come up 'cloſer (ſaith he) to thoſe of the Church of *Rome*, it 'was ordered by the Queens Injunctions; that the Sa-'cramental Bread ſhould be made round in the faſhion 'of the wafers uſed in the time of Queen *Mary*; that 'the Lords Table ſhould be placed where the Altar ſtood '(as alſo the Altar in the Queens own Chappel was fur-'niſhed with rich Plate, two fair gilt Candleſticks with 'Tapers in them, and a maſſy *Crucifix* of Silver in the 'midſt thereof *Ibid.* p. 124.) that the accuſtomed reve-'rence ſhould be made at the name of *Jeſus*; Muſick re-

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tained in the Church, Feſtivals obſerved *&c.* Thus Dr. *Heylin.* And ſome ſuch thing likewiſe was obſerved, if you will give me leave to digreſs a little, by the Synod afterward in her days 1562 in their reviewing King *Edward*'s Articles of Religion, both concerning *Real Preſence*; (For whereas in King *Edward*'s Article of the Lords Supper we find theſe words [*Since as the Holy Scriptures teſtify, Chriſt hath been taken up into Heaven, and there is to abide till the end of the world; It becometh not any of the faithful to believe or profeſs, that there is a Real or Corporal Preſence (as they phraſe it) of the Body and Blood of Chriſt in the Holy Euchariſt*] the alteration under Queen *Elizabeth* caſts theſe words out :) and concerning Church-*Authority* and Church-*Ceremonies*. For whereas many of the Engliſh Proteſtant Clergy (that were diſperſed in Queen *Mary*'s days) being taken with the *Geneva*-way, were, when they returned, great Oppoſers of the Rites and Ceremonies uſed in the Church of *England*, and of Church-authority in general; therefore to King *Edward*'s twenty firſt Article was this new Clauſe now added, *The Church hath power to decree Rites and Ceremonies, and authority in Controverſies of Faith.* For Queen *Elizabeth* is ſaid to have been a zealous Patroneſs of Real Preſence. Inſomuch as when one of her Divines (ſee *Heylin*'s *Hiſt. of Queen Eliz.* p. 124.) had preached a Sermon in defence of the Real Preſence on *Good-Fryday* 1565. ſhe openly gave him thanks for his pains and piety. And in Queen *Mary*'s days ſhe at ſome time complyed ſo far as to reſort to the Maſs, ſee *ibid.* p. 98. And her Verſes of the Euchariſt, in anſwer to a Prieſt deſiring her judgment therein, are well known;

'Twas God the Word that ſpake it,
He took the Bread and brake it;
And what the Word did make it,
That I believe, and take it.

She was alſo a rigid Vindicator of the Church-Cere-

monies, and great Oppoſer of the Puritans (ſee before §. 162. and Dr. *Heylin*'s *Hiſt.* p. 144. *&c.*) ſeveral of whom, tho (in ſuch a ſcarcity of Divines) ſhe preferred in the beginning of her Reign, as *Sampſon* to be Dean of *Chriſt Church*, *Whittington* to be Dean of *Durham*, *Cartwright* Lady *Margaret*'s Profeſſor in *Cambridge* &c: Yet were they afterward no way countenanced by her. 'And when *Alexander Nowel* Dean of '*Pauls* had ſpoken leſs reverently in a Sermon preached 'before her of the ſign of the Croſs, ſhe called aloud 'unto him from her Cloſet Window, commanding him 'to retire from that ungodly digreſſion, and to return 'unto his Text. (*Heyl. Hiſt.* p. 124.). But notwithſtanding a certain moderation uſed in this Queens days (in compariſon of thoſe laſt violent times of King *Edward* agitated and ſpurred on ſtill further by *Calvin* from abroad, and by *Peter Martyr* and others here at home) and that tho ſome reforming Acts paſſed by King *Edward* and repealed by Queen *Mary* were not thought fit now to be revived (as particularly that 1. *Edw.* 6. 2. mentioned before §. 40:) Yet ſo it was that all the chief Acts that King *Edward*'s Parliaments or Clergy had made concerning the Reformation were now revived; and all, that Queen *Mary*'s, or *Henry* the Eighth's (ſave in the matter of Supremacy) Parliaments or Clergy had done againſt it, was repealed.

See 1. Eliz. 1. c. 2.

§. 179. n. 3. *But not by the Clergy.*

But this, tho done in ſpiritual matters, was done by the ſole authority of the Queen and her Parliament, without obtaining any Synod to reverſe the contrary decrees of the former Synods under thoſe two Princes: nay further, whilſt all the Biſhops, that ſate then in Parliament, openly oppoſed theſe Innovations. *Camden Hiſt. Eliz.* p. 9. By her own ſole authority the Queen likewiſe publiſhed certain Injunctions to the Clergy. And now the Regal Supremacy being thus reſtored only by the Civil power, an Oath of Supremacy was alſo drawn up and impoſed on all Eccleſiaſtical perſons upon penalty of the Refuſer's loſing all their Eccleſiaſtical promotion, benefice and office. 1. *Eliz.* 1. c. And ſo this Oath

Oath being unanimouſly refuſed by all the Biſhops that then ſate, ſave only the Biſhop of *Landaff*, '[I ſay *all that then ſate:* For, by reaſon of a contagious ſickneſs 'that then reigned, within leſs than the ſpace of a twelve-'month (ſaith Dr. *Heylin, Hiſt. of Reform. Qu. Mary,* 'p. 81.) almoſt one half of the Engliſh Biſhops had made void their Sees (*three Biſhopricks having been void from* 1557; *three Biſhops dying ſome few weeks before the Queen; three not long after; one on the ſame day*) which, with the 'death of ſo many of the Prieſts alſo in ſeveral places, 'did much facilitate the way (ſaith he) to that Refor-'mation that ſoon after followed:] they were all ejected out of their Biſhopricks; and with them, of the chief of the Clergy, fifteen Preſidents of Colledges, twelve Deans, twelve Arch-Deacons, ſix Abbots, fifty Prebendaries, loſt their Spiritual Preferments. Mean-'while, many others (ſaith Dr. *Heylin Hiſt. of Qu. Eliz.* 'p. 115.) who were cordially affected to the intereſt of 'the Church of *Rome*, diſpenſing with themſelves in 'outward conformities; upon a hope of ſuch revolu-'tions in Church-affairs as had hapned formerly.' Camb. p. 17.

§. 180. *The ejecting of the Biſhops for refuſing the Oath of her Supremacy. The unlawfulneſs thereof.*

Here, that we may examine the lawfulneſs of the ejection of theſe Prelates for refuſing ſuch Oath, upon which depends the lawfulneſs or unlawfulneſs of the *Acts* of the Clergy ſucceeding them, I will firſt ſet you down the form of the Oath which was this: 'I do teſtify and de-'clare in my conſcience, that the Queen's Highneſs is 'the only Supreme Governor of this Realm, as well 'in all Spiritual or Eccleſiaſtical things or cauſes as 'Temporal: and that no Foreign Prince, Perſon, Pre-'late, State, ought to have any Juriſdiction, Power, 'Superiority, Preheminence, Eccleſiaſtical or Spiritual 'within this Realm: and therefore I do utterly renounce 'all foreign Juriſdictions, Powers, Superiorities: and 'do promiſe that from henceforth I ſhall aſſiſt and de-'fend to my power all Juriſdictions, Priviledges and 'Authorities granted or belonging to the Queens High-'neſs, or united and annexed to the Imperial Crown 'of this Realm.

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§. 181. *Concerning Regal Supremacy. How far it ſeemeth to extend.*

This Oath, you ſee, conſiſts of two parts: a Supremacy *attributed* and profeſſed *to the Prince*; and a Supremacy *denyed* and renounced *to any Forreign power.* And that I may ſpeak more diſtinctly in this matter. 1. As to the firſt of theſe, thus much is freely conceded: That the Civil Magiſtrate hath a Supremacy in Spiritual and Eccleſiaſtical Affairs; and that ſuch as none other hath; namely this: An external coactive power or juriſdiction committed to him by God, to enjoyn to his Subjects the obſervance of the Laws of the Church; and of the Laws of God, as they are declared to him to be ſuch by the Church: and to reſtrain and puniſh the tranſgreſſors of them, whether Clergy or Laity, within his Dominions, with the Civil Sword, which God hath put only into his hands. So that no Canons of the Church can be by the Eccleſiaſticks or others, executed or enforced on the Subject as Laws, *viz. with external Coaction*, pecuniary or corporal *mulcts or puniſhments* &c. before the Secular Prince is pleaſed to admit ſuch Canons and enroll them amongſt his Laws, or to concede ſuch coactive power to his Clergy. How far alſo the Kings Supremacy may extend over all Eccleſiaſtical perſons concerning the *Inveſtiture* and preſentation of them (ſo long as their canonical ſufficiency is not denyed by the Clergy) to ſuch Temporal Church-Poſſeſſions, as either Princes, or others by their permiſſion, have conferred on the Church (about which hath been in ancient times great Controverſy between ſeveral Kings of *England* and the Pope) I meddle not to determine. Let this, for the preſent, be granted as much as any Prince hath claimed. It is likewiſe conceded: that in thoſe words of the Oath [*only Supreme Governor in Spiritual things*] there is not any thing that expreſly extends the Regal Supremacy any further; which may be the only ſupreme power in Eccleſiaſticals in one reſpect, and not in another. Nor no more is there in the thirty ſeventh Article of the Church of *England*; which expounds the Kings Supremacy thus: [*That he is to rule all eſtates and degrees committed to his charge by God, whether*

ther they be Eccleſiaſtical or Temporal, and to reſtrain with the Civil Sword the ſtubborn and evil-doers.] All which he may do; and yet be tyed in all things to obey the Church her Laws, and to leave to her the ſole judgment, *who are theſe evil-doers*, as to the breaking of Gods Laws, or *who ſtubborn and heretical* perſons. And ſuch Regal Supremacy will well conſiſt with another; either with a domeſtick Supremacy of his own Clergy, in judging Controverſies and promulgating Laws in meerly Spirituals; or alſo with a forreign Supremacy and Juriſdiction, of a *Patriarch* over all the Biſhops of his Patriarchy in what Prince's Dominions ſoever; or of a General Council over all Provincial or National Churches. If therefore only ſuch a Regal Supremacy, as this, were intended in the Oath, it cannot be juſtly refuſed. *viz.* If the Oath ſhould run thus, --- *I do teſtify that the King is the Supreme* &c. *as well in all Spiritual or Eccleſiaſtical Cauſes as Temporal* [that is, (as this Supremacy is expounded in Article thirty ſeventh) *to rule with the Civil Sword all eſtates and degrees committed to his charge by God, whether they be Eccleſiaſtical or Temporal, and to reſtrain with the Civil Sword the ſtubborn and evil-doers.*] And if this word [*ſuch*] be inſerted in the words following: --- And *I do teſtify that no forreign Prince, Prelate* &c. *ought to have any* [ſuch] *juriſdiction* &c. And *Ergo I do utterly renounce all* [ſuch] *forreign Juriſdiction* &c. --- You will ſay, what is gained to the King by an Oath ſo limited? This, that no Forreign or Domeſtick Power within his Dominions may, upon any pretence of Religion or other whatſoever, either take up himſelf, or licence any others to take up the Civil Sword againſt the King; or make any reſiſtance to him therewith in order to any perſon, or cauſe, whatſoever. Which thing ſufficiently ſecures his government, and the peace of his Kingdome.

2. Again: as to the ſecond part of the Oath, thus much ſhall be freely conceded: That there is ſome Supremacy, *in ordine ad Spiritualia*, to which no Forreign State or Prelate may lay claim. As, beſides that which §. 182. 2.

is

is named already to belong only to the Civil Magiſtrate, it ſhall here be granted; (as being the opinion of ſeveral Catholicks,) That no General Council hath any authority to make any Eccleſiaſtical Law, which any way entrencheth upon any Civil Right: Nor any forreign Prelate hath authority to uſe a Temporal power over Princes, (when judged heretical,) to kill or depoſe them, or abſolve their Subjects from their Allegiance. Were therefore theſe words of the Oath underſtood only of ſuch a Forreign power, *which oppoſeth the ſecurity of the Queens Civil Government*; as Dr. *Hammond* urgeth. *Schiſm.* 7. c. §. 17. Or; *which layeth intolerable burthens and exactions upon the Subjects of the Land* [*i.e* as to temporal matters] *and which draws after it Poſitions and Doctrines*, to the *unſufferable prejudice of the Prince's Crown and Dignity*; to the *exemption* of all *Eccleſiaſtical perſons* (ſuch *as makes them but half Subjects*,) to the *depoſing of Kings*, *and diſpoſing of their Kingdomes*; as Dr. *Fern* urgeth *Examin. Champ.* 9. c. p. 279: it ſhall be granted here, without diſputing any ſuch controverſy, that the Oath, for ſuch thing as this, could not be juſtly refuſed.

§. 183. n. 1. *How far not.*

But after theſe Conceſſions, now to review the two parts of the Oath again, to ſee what more might lye in them.

1. For the *Firſt*: There is a Supremacy in Spiritual and Eccleſiaſtical Affairs, which the Civil Magiſtrate cannot juſtly claim; *viz.* Such Supremacies as theſe: that a Prince may, when a Superior Council abroad, or the major part of his Clergy at home, hath or doth determine againſt ſomething, which he, with ſome few, or a leſſer part, of his Clergy, is perſwaded to be conſonant to the word of God, may (I ſay) ſuppreſs, and forbid the Doctrine of thoſe, and eſtabliſh and promulgate the Doctrine of theſe; may thus make and publiſh new Eccleſiaſtical Articles or Canons, and correct, ſuſpend, or diſpenſe with former, and that where no juſt pretence of their violating any way his Civil Government. That he, without any Synodal conſent of his Clergy; or, He with it, againſt the decrees

of

of Superior Councils, may change the publick Church Liturgies, her Service, or Diſcipline; and that when theſe no way hurtful to the Civil State. That the Clergy may not aſſemble about Spiritual concernments (which none deny that they may do even under Heathen Princes) but when he pleaſeth to call them; may teach or promulgate no Eccleſiaſtical Deciſions in matter of Doctrine, or Conſtitutions in matter of Diſcipline, to their flocks, being his Subjects, unleſs he firſt give his conſent unto them, tho theſe concern no civil right. That he may introduce into Biſhopricks whom he approves, without the conſent of a major part of the preſent Epiſcopacy; or may diſplace any, or prohibite the function of their office, within his Dominions, without any concurrence of the Clergy, and where is no juſt pretence of danger to his Secular Government. Briefly; to uſe Biſhops *Carleton*'s words cited before. 'That he may uſe any ſuch Spiritual Juriſdiction, as §. 3.
'ſtands in examination of Controverſies of Faith, judg-
'ing of Hereſies, depoſing of Hereticks, excommuni-
'cation of notorious offenders, Inſtitution and Colla-
'tion of Benefices and Spiritual Cures. All or moſt of which Supremacies are not Supremacies belonging to the Prince, but to the Clergy, to Prelates, to Councils and Synods, Provincial, National, or higher. As hath been laid down in the firſt and ſecond *Theſes*; and *See before*, §. 2. 4. as will appear to any one at the firſt ſight, if he will but empty his fancy a little of the prime Patriarch of the Catholick Church his being *Anti-Chriſt*; and of an erroneous and *Superſtitious Hierarchy*; and, on the other ſide, of an orthodox and godly *Joſias-Prince*: and ſeriouſly conſider, what a miſchief it will bring upon a National Church, when the ſupreme Secular Magiſtrate thereof is an Heretick or Schiſmatick, and inveſted with the above-named Supremacies in Spiritual Affairs. Nay I may further add to theſe, that there is ſome Supremacy in Eccleſiaſtical Affairs, which the Proteſtants themſelves or the moſt Learned of them do not allow to the Prince: as this; That the Prince *alone* without the

conſent of ſome of his Clergy may make or impoſe upon his Subjects Eccleſiaſtical Laws, or decide ſuch Controverſies. And ſecondly there is another Supremacy which all the Presbyterian Proteſtants do not allow to the Prince: namely, that he may prohibite the Church Miniſtery and Officers from making or impoſing any Eccleſiaſtical Law without his licence and conſent firſt obtained thereto; as you may ſee below §. 211. [*Meanwhile how both theſe do ſafely take this Oath (there being neither of theſe limitations by the Oath impoſer mentioned either in it, or elſewhere with reference to it, nay the contrary being declared concerning the later of theſe two Supremacies) I ſee not, unleſs the Oath-taker may qualify his Oath according to his own ſenſe.*] To require therefore ſubmiſſion by Oath to ſuch Supremacies of the Civil Magiſtrate, as theſe now named, is not lawful.

§. 184. *That ſubmiſſion to the Royal Supremacy in this latter kind was required from thoſe Biſhops.*

And that ſuch ſubmiſſion was required from theſe Biſhops is evident I think; 1. Both from that Supremacy, which the Queen, at that very time, in theſe very things, exerciſed, without any Synodal conſent, againſt former Synods (a Specimen of which you may ſee below §. 201. in Her Majeſties Commiſſion to the Uncanonical Ordainers of Arch-biſhop *Parker*; and to the ſame purpoſe, in *Stat.* 8. *Eliz.* 1.) and which the Kings *Henry* and *Edward* had formerly exerciſed. 2. And from that Supremacy, which the Parliaments granted and acknowledged due in theſe things to the Prince, as hath been ſhewed, I think, ſufficiently in this former diſcourſe; they granting to the King all that authority and juriſdiction, which any Spiritual perſon or perſons had formerly; excepting only the authority of miniſtery of divine offices in the Church. See before §. 71. All which authority formerly thus granted by the laws and annexed to the Imperial Crown of this Realm, the taker of this Oath is bound to aſſiſt and defend. (The like to which ſee alſo in the 1. and 2. *Canon Eccleſiaſt.* 1603.) Altho the former Clergy, under *Henry* the Eighth, had never annexed theſe Supremacies to the Crown. See before §. 25; or, if they had, had again, under Queen *Mary*,

Mary, reverſed it. Neither is it enough for our men, for the ſetling of ſuch Supremacies upon the Crown, to prove, that they belong not to the Pope, as long as they may belong to the National Clergy, and to Councils. The qualifications of ſuch Regal Supremacy, which Dr. *Fern*, *Examin. Champ.* 9. c. §. 16. 20. hath produced as mitigating it, ſee replyed to before §. 72. And ſee himſelf, (if I miſtake him not) alſo defending ſuch Regal Supremacy, as is here affirmed to be claimed in the places quoted below, §. 205: and not only him, but many other learned Proteſtant Divines. And therefore well might thoſe Biſhops underſtand the regal Supremacy in the Oath, in the ſame latitude, as theſe ſtill do allow and maintain it. But ſee Mr. *Thorndike* (*Juſt Weights*, 20. c.) freely acknowledging what we have ſaid here, and deſiring therefore the abrogating of this, and the enacting of a new, Oath. —'It is manifeſt (ſaith 'he) that not only the unlimited power of the Pope, 'but all authority of a General Council of the Weſtern 'Churches (whereof the Pope is and ought to be the 'chief Member) may juſtly ſeem to be diſclaimed, by 'other words of the ſame Oath; and that, whereas 'the Pope uſurped not only upon the Crown, but upon 'the Clergy of this Kingdome; all thoſe Uſurpations '[*as well upon Clergy as King*] are, by the Act of *reſumption* under *Hen.* 8. inveſted in the Crown. So that, 'when the Oath declares to maintain all Rights and Pre-'eminences annexed to the Crown, you may underſtand 'that *maintenance* which a Subject owes his Sovereign 'againſt thoſe that pretend to force his [*juſt*] claim 'from Him; But you may alſo underſtand that *maintenance*, which a Divine owes the Truth in aſſerting the 'Title of the Crown to all Rights [*whatever now*] veſted in it. Which [*maintenance*] he that believes that 'ſome Rights of the Church are inveſted in the Crown, 'ought not to undertake. — And again below: There 'is an appearance (ſaith he) that the miſ-underſtanding of this Oath hath produced an opinion deſtructive 'to one Article of the Creed; [*viz.*] to the being of

Ham. Schiſ. c. 7. p. 150.

'any *Viſible Church*, as Founded by God. And beſides 'it is not poſſible that all they, who are called to this 'Oath by Law, can ever be able to diſtinguiſh that ſenſe 'in which they ought, from that wherein they ought 'not, to take it. And therefore of neceſſity, the Law gives 'great offence; and that offence is the ſin of the King-'dome, and calls for Gods Vengeance upon it. There-'fore there is great reaſon, why the Kingdome ſhould 'enact a new Oath *&c.* *Thus He.*

§. 185. 2. Concerning Forreign Supremacy in Eccleſiaſtical affairs: how far it is to be acknowledged.

2. For the ſecond part of the Oath: *And therefore I do utterly renounce all Forreign Juriſdictions* &c. You are firſt to note. That from what is ſaid before in the Oath [*that the Queens Highneſs is the only Supreme Governor in all Eccleſiaſtical things*] it followeth; That ſo far as the Oath binds any to renounce all *Forreign Eccleſiaſtical Juriſdiction* or Authority, ſave the Queens, (that is, for any ſuch Juriſdiction in Spirituals, as the Queen claimeth, whether ſuch Juriſdiction be challenged by the Pope, or by a General Council *&c*; for here none is excepted) ſo far the Oath bindeth him alſo to renounce all *Domeſtick Juriſdiction* and Authority, (whether it be of the Arch-Biſhops, or Biſhops, or of a National Synod) in reſpect of ſuch Juriſdiction as is claimed by the Prince. So that none, who holdeth any ſuch Juriſdiction in the Clergy at home, as others put in the Clergy or ſome Prelate abroad, may think that he eſcapeth the reach and power of the Oath, becauſe of the word [*Forreign*] inſerted therein. Having given you this pre-caution then, that you ſwear as well againſt any Juriſdiction of the Arch-Biſhop of *Canterbury*, or the National Synod of this Church, as of the Pope, or of a General Council concerning the Juriſdiction that is challenged by the Prince: Now to conſider the thing it ſelf. There may be ſuch a Forreign or alſo Domeſtick Eccleſiaſtical Supremacy and Authority, as no way oppoſeth the good of the Civil State, nor any juſt priviledge of a Secular Prince; but rather much corroborateth and fortifieth it: and again as mainly tendeth to the unity and peace of the Church; which thro all the

the world is only one Corporation and Body. And ſuch Supremacy may be inſtituted and eſtabliſhed, either by our Saviour; or by his Apoſtles; or later Eccleſiaſtical Conſtitution: as the varying State of the Church may ſeem to require. Neither can an Authority, thus eſtabliſhed, and relating only to Spiritual Affairs, be juſtly diſturbed or annulled by any Secular Governor; neither Heathen (as is granted by all) nor Chriſtian (as there is more reaſon, that he, who is a Son and Subject of the Church, ſhould never do it) as hath been ſhewed in *Chur. Govern.* 1. Par. §. 38. and *Succeſ. Clér.* §. . Again there actually is ſuch a Supremacy for ſome Spiritual matters by ſome of the former ways given to the Repreſentative of the whole Church Catholick, *General Councils* (which have been hitherto Forreign, and perhaps will always be ſo:) which Councils have a Juriſdiction and Authority over, and whoſe Canons and Decrees do oblige, particular Churches, tho the Secular Magiſtrate diſſent or oppoſe; as the Emperor *Conſtantius* oppoſed the *Nicene* condemnation of *Arianiſme*. Secondly, There is alſo given, at leaſt in 2.
the intervals of theſe Councils, a Supremacy to the Biſhop of the Apoſtolick See of *Rome*: to whom alſo is committed the care of ſeeing to the execution of the Canons and Decrees of theſe General Councils in all particular Churches: as hath been ſhewed in *Chur. Gov.* 1. Par. And ſuch Supremacy was ratified by the Clergy of this Nation; as formerly, ſo in their late Synods under Qu. *Mary*, and alſo under Qu. *Elizabeth*: See before §. 175. Art. 4. which Synods ſtood in force at the impoſition of this Oath. Of theſe Supremacies thus Mr. *Thorndike* (*Due way of compoſing differences* p. 7.) 'It were a 'contradiction for the Church of *England* to pray for 'the Catholick Church and the unity thereof, and yet 'renounce the Juriſdiction of the whole Church, and 'the General Councils thereof, over it ſelf. King *James* 'acknowledgeth the Pope to be Patriarch of the *Weſt*; 'that is, Head of the General Council of the Weſtern 'Churches. And *Thomas* Lord Biſhop of *Wincheſter* 'under

'under Queen *Elizabeth* being demanded, *why we own 'him not ſo in effect?* Anſwereth bluntly but truly, *be-'cauſe he is not content with the Right of a Patriarch.* For 'ſhould he diſclaim the pretence of diſſolving the bond 'of Allegiance, ſhould he retire to the Priviledges of 'a Patriarch, in ſeeing the Canons executed; the Schiſm 'would lye at our door, if we ſhould refuſe it [*deny ſuch 'his Patriarchſhip.*] *Thus He.* Now whether, upon ones demanding more than his right; we may (afterward) lawfully deny him his right, or, for ever after, ſwear that he hath no right, judge you: as likewiſe whether the General Councils have loſt their right, together with their Head, the Pope? Again of the Supremacy of a *General Council* over particular Churches, and ſo over this of *England* thus Biſhop *Bramhal (Reply to Chalced.* p. 293.) upon the words in the Oath [*and that no Forreign Prelate hath* &c.] 'A General Council, 'which is no ſtanding Court, but an aggregate body, 'compoſed partly of our ſelves [i. e. *of the Prelates of the Church of England*] is neither included here nor in-'tended. General Councils then, it ſeems, of which the Engliſh Prelates are a part, have a Juriſdiction, over a particular Church, not ſubordinate to the Secular Governors thereof. And if a General Council be once thus admitted, I ſee not how the Head thereof will be totally
3. excluded; nor yet inferior Synods. Thirdly, There is a Supremacy in Spiritual matters, Deciſions, and Decrees (I mean as to an independance on the Secular Power for the exerciſing their office, and enacting or divulging of ſuch Decrees) belonging to the *Metropolitans* and their Provincial Synods in all National or Provincial Churches; if the Firſt and Second *Theſis* above ſtand good.

§. 185. *That the renouncing ſuch Supremacy was required of thoſe Biſhops.*

To require therefore upon Oath an utter renouncing of any ſuch Forreign, or alſo Domeſtick, Clergy-Supremacy, is not lawful. But ſuch was required of theſe Biſhops, as appears; 1. by the expreſs words of the Oath; and 2. by the giving of all ſuch Juriſdiction Spiritual and Eccleſiaſtical, as by any Spiritual or Eccleſiaſtical

ſiaſtical power [i. e. *Forreign or Domeſtick*] had thitherto been lawfully uſed over the Eccleſiaſtical State of this Realm, to the Queen, at the ſame time, that this Oath was made; See before §. 70. And 3. by the practice of theſe times ſuitable.

Neither, here, are thoſe Pleas good: that *one may take away a juſt authority from him, who hath exerciſed an unjuſt.* (for will Secular Princes admit this Rule concerning themſelves?) Or *that any ſmall part of the Church Catholick*, if declining to joyn with the whole, *is not obliged to the Conſtitutions of the whole*; Or, *not later ages to the Conſtitutions of the former*: Or, *that no particular Church is tyed to the Conſtitutions of Superior Councils* paſt or preſent *in matter of Church Government* or Diſcipline, *but* only in matters of *Faith*: Or, that *the Church of* England *hath not given her conſent to ſuch former Conſtitutions* concerning ſuch Church-Government, *as well as other Churches*: All which have been diſcuſſed in their places. Now if theſe Biſhops were, thus, unjuſtly ejected for refuſing to take an unlawful Oath; it follows, that the Biſhops ſucceeding them were unjuſtly introduced; and, conſequently, their Synodal Acts illegal and void.

See Church Gov. *par.* 1. §. 38. 40. 59. 2. *Par.* §. 63. 3. *Par.* §. 27. *n.* 2. Sac. Clerg. §. 187.

To prevent which inference, I find this pleaded by Dr. *Fern, Examin. Champ.* 2. C. p. 84. That, had none of theſe Biſhops been removed, yet the Queens Reforming-Biſhops in Synod would have made a major part. 'For (ſaith he) α there were ſix Biſhops re-'maining [*of King* Edward's;] and beſides, there 'were many Biſhopricks actually void at Queen *Mary*'s 'death; which Biſhopricks being ſupplyed [*by Queen* 'Elizabeth] there was no fear, that the Popiſh Biſhops '(who were very ſuddenly reduced to Nine by death 'or by quitting the Land) ſhould make the major 'part; had the buſineſs of Reformation been put at 'firſt to a Synodical Vote. *Thus He.* To which it is added by others: β That no new Biſhops had been elected into the vacant Biſhopricks, yet if ſo many only of theſe Queen *Mary*'s Biſhops ſhould have been diſplaced, as came

That ſo many of Queen Mary's Biſhops could not be ejected on any other ground ſo as to render the Proteſtant Biſhops a major part.

α

β

came into the Biſhopricks of King *Edward*'s former Proteſtant Biſhops unjuſtly caſt out; the ſix remaining Biſhops of King *Edward*, with *Landaff* joyned to them, would have out-numbred the remainder of Queen *Mary*'s Biſhops.

§. 188. *Reply to* α 1. *See before*, §. 54. &c. 2.

But to theſe 'tis eaſily replyed. To α; That 1. Firſt it hath been ſhewed already, That ſome of theſe ſix Biſhops could not lawfully now act, becauſe juſtly removed from their Biſhopricks in Queen *Mary*'s days; of the Suffragan Biſhops, more by and by. Secondly, That Queen *Elizabeth* could not juſtly and legally ſupply the then vacant Biſhopricks with any perſons, but ſuch as the major part of her preſent Clergy (which ſurely were Catholicks, and would have admitted no other) did firſt approve of, conſecrate, and confirm. Of which ſee what is ſaid before in the Third *Theſis*, and in the Church-Canons there cited. To which I will add the teſtimony of Mr. *Thorndike*, *Right of the Church*, 5. c. p. 248. *&c.* 'The fourth Canon (ſaith 'he) of the Council of *Nice* requireth, that all Biſhops 'be ordained by a Council of the Biſhops of the Pro'vince [*ſi fieri poteſt.*] Which Council becauſe it can'not always be had; therefore it is provided [*there*] 'that two or three may do the work, the reſt conſent'ing and authorizing the proceeding. And this is that, 'which the ordinance of the Apoſtles hath provided, 'to keep the viſible Communion of the whole Church 'in unity. But when, among the Biſhops of any Pro'vince, part conſent to Ordination, part not: the unity 'of the Church cannot be preſerved; unleſs the con'ſent of the whole follow the conſent of the greater 'part. And therefore it ſeemeth, that there can no 'valid ordination be made, where the greater number 'of the Biſhops of the Province diſſent. Which is con'firmed by the Ordination of *Novatianus* for Biſhop of '*Rome*. Which, tho done by three Biſhops, yet was the 'Foundation of that great Schiſme; becauſe *Cornelius* 'was ordained on the other ſide by Sixteen. *Thus Mr.* '*Thorndike*.

To

To β. 1. Firſt, that thoſe may be lawful Biſhops, who come into the places of other Biſhops whilſt living, if the other be juſtly ejected, as King *Edward*'s Biſhops were. Secondly, That of the fifteen Catholick Biſhops there were only four that came into the place of any Proteſtant Biſhop living when he was firſt elected thereto, namely *Heath*, *Bourne*, *Chriſtophorſon*, and *Turbervile*, into the place of *Holgate*, *Barlow*, *Scory*, and *Coverdale*. (For all of the reſt, *Bonner*, *Pate*, *White*, *Goldwell*, *Watſon*, *Poole*, *Scot*, *Bayne*, *Oglethorp*, *Thirlby*, *Tonſtal* ſucceeded either Catholick Biſhops, or Proteſtant Biſhops deceaſed :) And thoſe four Proteſtant Biſhops were all married perſons, and ſo excluded by the Canon; and three of them, *Holgate*, *Barlow*, *Coverdale*, married Monks. But of the fifteen Catholick Biſhops there were only two that came into the place of any Proteſtant Biſhop, when living: which Proteſtant Biſhop had not firſt entred into the place of a Catholick Biſhop, when living. For *Coverdale* and *Scory* Proteſtants came into the Catholicks *Day*'s and *Voicy*'s Biſhopricks in King *Edward*'s time whilſt they living. The truth of theſe things you may ſee in *Godwins Catalogue of Biſhops*.

§. 189. *To β.* 1. 2. *See before*, §. 54.

CHAP. XII.

The Canonical Defects of King Edward*'s, and Queen* Elizabeth*'s new Biſhops.*

§. 190. *Concerning the defects of the Qu. Proteſtant Biſhops remaining ſince King* Edward*'s days.*

NOW inſtead of theſe Catholick Biſhops expelled, being all that then ſate, ſave only *Anthony* Biſhop of *Landaff* (whom *Cambden* calls the *Calamity of his See*, and who I think can be much challenged by no ſide; in *Henry* the Eighth's time, in *Edward* the Sixth's, in Queen *Mary*'s, in Queen *Elizabeth*'s, ſtill acquieſcing for his Religion on the Princes direction) the Queen had onely ſix others ſurviving ſince King *Edward*'s time, out of whom to raiſe her new Eccleſiaſtical Hierarchy; *Scory* Biſhop of *Chicheſter*, *Coverdale* of *Exceſter*, *Barlow*

of *Bath*, two Suffragan Biſhops of *Bedford* and *Thetford* and one *Bale* Biſhop of *Oſſery* in *Ireland*: amongſt whom was no Metropolitan; and of whom but one was conſecrated in *Henry* the Eighth's days; the other five in King *Edward*'s, whoſe times were full of uncanonical Proceedings, and liable to ſeveral exceptions. Again two of which Biſhops, *Scory*, and *Coverdale* in King *Edward*'s time came (as is ſaid) into Biſhopricks not void. Beſides that on another account they, as alſo *Barlow*, were lawfully ejected in Queen *Mary*'s days, as being marryed perſons; two of them *Barlow* and *Coverdale* doing this, contrary to the Canons, both as Prieſts and as Religious. The later of whom alſo, going beyond-Sea in Q. *Mary*'s days, there turned *Puritan* as they are called; and in the troubles of *Frankford* was one of the Oppoſers of the Common-Prayer-Book of *England*: and after his return, at the Conſecration of Arch-Biſhop *Parker*, refuſed to wear an Epiſcopal habit as is found upon Record; nor would reſume his Biſhoprick of *Exceſter*, but to his dying day lived a private Preacher in *London*; *William Allen* in the ſecond year of Queen *Elizabeth* being made Biſhop of *Exceſter* in his ſtead. As for the Suffragan Biſhops, as they were (in a way and manner differing from former times) firſt ſet up by King *Henry*: ſo were they put down again by Qu. *Mary*; and quite laid aſide under Queen *Elizabeth*.

See Biſhop Bramhal's Conſecrat. of Proteſtant Biſhops juſtified.

Holl'nſhead *p.* 1309. 26. Hen. 8. 14. c. 1, 2. Mar. 8. c. 9. 1.

Concerning the defects of the new Biſhops Ordained in Qu. Elizabeth's days.

This for the reformed Biſhops that are ſaid to remain from King *Edward*'s days: now touching the new ones who were made by Queen *Elizabeth*; I think not fit to trouble my Reader here with an exact diſcuſſion of the validity of their Orders, by reaſon of defects either in the Ordainers or the Ordained, ſince ſuch a diſcourſe, for the moſt part Scholaſtick, diſputing of the Character, Matter, Form, Intention, *&c.* eſſentially required for the conferring of this Sacrament, may better come out in a Treatiſe a part, then interrupt this Hiſtorical Narration: Concerning theſe new Biſhops and Prieſts then, I will briefly only obſerve two or three things, whereof the firſt ſhall be the judgment and eſteem the Ca-

Catholick Church has made of theſe and the like Orders, the ſecond, that tho theſe Orders be ſuppoſed valid, yet were they certainly unlawful and againſt the Canons; and moreover unprofitable yea noxious to thoſe who conferred and received them.

As to the firſt, the new Ordination grew ſo far ſuſpected, as deficient, to Queen *Mary*, that in her Articles ſent to the Biſhops this is one. 'That touching ſuch 'perſons as were heretofore promoted to any Orders, 'after the new ſort and faſhion of Orders; conſidering 'they were not ordered in very deed; the Biſhop of the 'Dioceſs, finding otherwiſe ſufficiency and ability in 'thoſe men, may ſupply that thing which wanted in 'them before, and then according to his diſcretion 'admit them to miniſter. Biſhop *Bramhal* indeed urgeth this following paſſage out of Cardinal *Pool*'s Diſpenſation, to prove, that King *Edward*'s new Form of Ordination was judged valid in Queen *Mary*'s days by Cardinal *Pool*; by the Pope confirming his Acts; and by all the Clergy and Parliament of *England*. *Ac omnes Eccleſiaſticas ſæculares, ceu quorumvis Ordinum Regulares, perſonas, quæ aliquas impetrationes, diſpenſationes, conceſſiones, gratias, & indulta, tàm Ordines, quam Beneficia Eccleſiaſtica, ceu alias Spirituales materias prætenſâ ſupremitate authoritatis Eccleſiaſticæ* Anglicanæ, *licet nulliter & de facto obtinuerint, & ad cor reverſæ* [perſonæ] *eccleſiæ unitati reſtitutæ fuerint, in ſuis Ordinibus & Beneficiis per nos ipſos, ceu a nobis ad id deputatos, miſericorditer recipiemus, prout multæ receptæ fuerunt, ſecumque ſuper his opportune in Domino diſpenſabimus.* From which words of the Cardinal the Biſhop argueth; 'That, 'If King *Edward*'s Clergy wanted ſome eſſential part 'of their reſpective Ordinations, which was required 'by the Inſtitution of Chriſt; then, it was not in the 'power of all the Popes and Legates, that ever were in 'the world, to confirm their reſpective Orders, or diſpenſe with them to execute their functions in the 'Church. *Thus the Biſhop.* But if you look narrowly into the words of the *Inſtrument*, you may obſerve, that

§. 192. 1. Fox p. 1295.

Conſecrat. of Proteſtant Biſhops juſtified, 3. c. p. 63. *Sec* 1, 2. Mar. 8. c.

the Cardinal very cautiouſly here *Firſt* ſaith not, *diſpenſamus* or *recipimus* in the *preſent*, as he doth in every one of his other diſpenſings throughout the whole Inſtrument, tho in matters uncanonical, *diſpenſamus, relaxamus, remittimus, concedimus, &c.* in the *preſent* Tenſe, but here *diſpenſabimus*, in the *future*. And *Secondly* ſaith not ſinglely *diſpenſabimus*; but *recipiemus per nos ipſos, ſeu deputatos*: which reception *per nos, ſeu deputatos*, was not neceſſary for a diſpenſation with a matter only uncanonical. And *Thirdly* ſaith not *recipiemus* ſimply, but with a *prout multæ perſonæ receptæ fuerunt*; referring to the manner of the reception, which had been uſed formerly in this Queen's days; which we find ſet down in the Queen's thirteenth Article: *viz. That ſuch new ordained repairing to the Biſhop, and he finding them otherwiſe ſufficient ſhould ſupply that which was wanting to them in reſpect of their Orders*, as they being before not ordered *in very deed*. And this is the Reaſon, why the Cardinal could not apply in this Inſtrument a preſent *recipimus* or *diſpenſamus* for theſe *Ordines*, as he doth for other things; tho here he ingageth to make good to every one ſuch orders, as they then bare the title of. This is a ſence of which the Cardinals words are very capable, and ſeem alſo to favour; and which accords well with the Hiſtories of thoſe times: whereas that, which the Biſhop puts upon them, makes them to contradict the publick actions and proceedings both before and after the paſſing of this act. For that the Cardinal, when Arch-Biſhop of *Canterbury*, and the Roman Biſhops held not the Orders received by the new Form ſufficiently valid *quoad Character em*; as it may be gathered from Queen *Mary*'s thirteenth Article forecited, and firſt conſidered, no doubt, by her Biſhops: ſo it is clear from the Biſhop of *Glouceſter*, the Popes Legate his degrading *Ridley* onely from his Presbyterſhip, and not his Epiſcopacy: For, ſaith he, *We do not acknowledge you for a Biſhop*. Which had he underſtood *quoad Excercitium*, and not alſo *quoad Characterem*; then neither ſo ought he to have acknowledged him for, or degraded him as, a Presbyter; he being, *quoad excercitium*,

See Fox p. 1604.

citium, no more the one then the other. Now the reaſon why he acknowledged him no Biſhop *quoad Characterem*, was, I conceive, upon ſuppoſition that *Ridley* was not ordained by the old Form; becauſe much offence being taken at that old Form, we may conjecture by the reaſon given in the Preface of the Statute recited before §. 42. that alſo before the new ſet-form eſtabliſhed, there were in Ordinations ſome varyings from the old. The ſame you may ſee in *Fox* concerning *Hooper* made *Prieſt* by the old Form; *Biſhop* by the new: and therefore degraded in Queen *Mary*'s days only as a Prieſt. Again Mr. *Bradford* made Prieſt by the new Form: and therefore, in his condemnation not degraded at all, but treated as a meer Laick. In theſe days likewiſe Biſhop *Bonner* writ a Book call'd *A profitable and neceſſary Doctrine*, &c. wherein he contendeth, that the new deviſed Ordination of Miniſters was unſufficient and void: becauſe no authority at all was given them to offer in the Maſs the Body and Blood of our Saviour Chriſt; but both the Ordainer and Ordained deſpiſed and impugned not onely the Oblation or Sacrifice of the Maſs, but alſo the Real Preſence of the Body and Blood of Chriſt in the Sacrament of the Altar. Laſtly 'tis probable, that *Maſon* and others, to whom this diſpenſation could not be unknown, and was ſo ſerviceable for this Controverſy, would not have left it unmentioned; could they have made any ſuch conſtruction thereof as Biſhop *Bramhal* doth.

See F. a S. *Clara Enchirid. p. 93.*

Art. of Edw. 6. 28. Art.

2. In general, thoſe who are truly ordained, yet, if in an Heretical or Schiſmatical Church, their true Orders, as to the exerciſe of them, are unlawful; and ſo, unleſs a Church be firſt cleared from Hereſy and Schiſme, theſe Orders are not rightly employed in it. And thoſe alſo, who receive the Sacraments from their Miniſtery, do (tho truly, yet) fruitleſly receive them. I mean ſo many, as by their obſtinacy or ignorance culpable are guilty of the ſame Hereſy or Schiſme: becauſe theſe do not receive with the Sacrament *gratiam ſanctificationis* or *charitatem*, or *jus ad regnum cælorum*, thro ſuch their

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their ſin; without which Charity any other fruition of the Sacrament is nothing worth. [Of which thus St. *Auſtine*, *De Baptiſ.* 7. l. 52. c. *againſt the Donatiſts* concerning their Prieſts giving, and others receiving the Sacrament of Baptiſme from them. *Habent* [poteſtatem dandi baptiſmum] *quamquam inutiliter habeant: & accipitur ab eis etiam, cum inutile eſt accipientibus: quod ut fiat utile, ab hæreſi vel ſchiſmate recedendum eſt.* 54. c. *Infructuoſe atque inutiliter* [tradunt baptiſmum] *tales talibus in eo, quod regnum Dei non poſſidebunt: Hæreticis correctis baptiſma non incipit adeſſe quod deerat, ſed prodeſſe, quod inerat.* And thus the Schools-*Hæreticus* [*i. e.* manifeſte ab eccleſiâ præciſus] *excommunicatus* &c. *non amittit poteſtatem conferendi Sacramentum, ſed licentiam utendi hâc poteſtate, & ideo quidem confert, ſed tamen peccat conferendo: & ſimiliter ille, qui ab eo accipit Sacramentum; & ſic non percipit rem Sacramenti* [*i. e.* gratiam ſanctificationis] *niſi forte per ignorantiam excuſetur. Si ſunt manifeſte ab eccleſiâ præciſi, ex hoc ipſo, quod aliquis accipit Sacramenta ab eis peccat, & per hoc impeditur, ne effectum Sacramenti conſequatur.* Thus *Aquinas*, p. 3. 64. q 9 a.] And then what great difference in the *giver* of ſuch Sacraments, not to have true Orders, and not to have the power to uſe them? Or in the *receiver* of the Sacraments, not to have true Sacraments, and not to be benefited by them? Excepting only ſuch, who living in ſuch a ſeparate Society are by their invincible ignorance excuſed from fault; to whom it is granted, that ſuch Sacraments are effectual. When they return to the unity of the Church indeed, then his true Orders formerly received become to the one uſable, and the true Sacraments formerly received to the other profitable. But this is in effect all one, as if then the one firſt *de novo* received Orders; and the other the Sacraments.

§. 193. 3. *Whether their Ordination unlawful according to the Church Canons.*

3. But again, tho I do not here ſtate the queſtion; *Whether they had ſuch due Ordination and Ordainers as to be truly and eſſentially Biſhops:* Yet their Introduction and Ordination, if valid, ſeems ſeveral ways uncanonical and unlawful: 1. Becauſe they came many of them into the

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places

places of others unjuſtly expelled. 2. Becauſe neither the major part, nor any, ſave one, of the former incumbent Biſhops conſented to their Election or Ordination: which conſent is a thing moſt neceſſary for preſervation of the Church, both in true Doctrine and in Unity. Of which you have heard but now Mr. *Thorndike*'s Teſtimony. Who, in the ſame place, applying his Doctrine to this very fact, goeth on thus; 'Now 'it is manifeſt, that the Ordinations, by which that 'Order [*of Biſhops*] is propagated in *England* at and 'ſince the Reformation, were not made by conſent of 'the greater part of Biſhops of each Province; but 'againſt their mind, tho they made no contrary Or-'dinations. And by the ſame means it is manifeſt, that 'all thoſe Eccleſiaſtical Laws, by which the Reforma-'tion was eſtabliſhed in *England* [i. e. *by theſe new Bi-'ſhops*] were not made by a conſent capable to oblige 'the Church; if we ſet aſide the Secular power, 'that gave force unto that which was done [*by the Bi-'ſhops*] contrary to that rule, wherein the unity of the 'Church conſiſteth. But in other parts, the Refor-'mation was ſo far from being done by Biſhops and 'Presbyters, or any conſent, which was able to con-'clude the Church by the Conſtitution of the Church; 'that the very Order of Biſhops is laid aſide and forgot, 'if not worſe, *i. e. deteſted*, among them. Upon which 'precedent it ſounds plauſibly with the greateſt part 'among us; that, the unity of the whole being [*thus*] 'diſſolved by the Reformation [i. e. *by the Reformers 'either being againſt Biſhops, or being Biſhops made againſt 'the conſent of the former Biſhops*;] the unity of the Re-'formation cannot be preſerved, but by diſſolving the 'Order of Biſhops among us. The like he ſaith before, 'p. 248. If the Clergy of that time [i. e. *in the begin-'ning of Queen* Elizabeth's *Reformation*] had been ſup-'ported in that power, which, by the premiſes [*ſet 'down and juſtified in his Book*] is challenged on behalf 'of the Clergy; this Reformation could not have been 'brought to paſs. 3. Becauſe to prevent all diviſion and

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See Theſ. 3. §. 6, 7.

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and faction, as likewiſe to appoint a certain place and bounds for the exerciſe of his Juriſdiction, no Biſhop, by the Church-Canon, can be made without the conſent of his Superior, the Metropolitan; nor Metropolitan without the conſent of the Patriarch: who is to ordain or confirm the Metropolitans under his Patriarch-ſhip; either by impoſition of hands himſelf, or by appointing his Ordainers, (at which time his *Bull* for authorizing the Ordainers was uſed to be read) and by Miſſion of the Pall: See *Conc. Nic.* 4. c. *Can. Apoſt.* 34. Council *Chalced.* 27. c. and 16. Act. 8. *General Council,* 10. c. confeſſed by Proteſtants: by Dr. *Field,* 5. l. 31. c. p. 518. and 37. c. p. 551. *Without the Patriarch's aſſent none of the Metropolitan's ſubject unto them might be ordained. What they bring proves nothing, that we ever doubted of. For we know the Biſhop of* Rome *had the right of Confirming the Metropolitans within the Precincts of his own Patriarch-ſhip.* By Biſhop *Bramhal, Vindic.* 9. c. p. 297. *What power the Metropolitan had over the Biſhops of his own Province, the ſame had a Patriarch over the Metropolitans,* &c. *Wherein then conſiſted Patriarchal Authority? In ordaining their Metropolitans, or confirming them, in impoſing of hands, or giving the Pall,* &c. And indeed what defence can the Church have from frequent Schiſme, if two or three, or a few Biſhops, diſſenting from the whole, may not only make other perſons of the like inclinations Biſhops to govern the people with them; but alſo may make new Metropolitans to preſide over themſelves? But Arch-Biſhop *Parker* was thus ordained by two Biſhops of the ſame Province, without and againſt the conſent, of the Patriarch; and of the Arch-Biſhops Vice-gerent, *ſede vacante*, the Biſhop of *London*; and of the other Metropolitan, the Arch-Biſhop of *York*. Neither did he receive any Spiritual Juriſdiction at all from any Eccleſiaſtical Superior; but meerly that which the Queen (a Lay-perſon) by theſe men, her Delegates in this imployment, did undertake according to the warrant of the Statute 1. *Eliz.* 1. contrary to the Firſt and Third

See Chur. Gov. 1. *par.* 9. §.

Theſis—

Theſis above) to confer upon him. Which Delegates of her's were none of them at that time poſſeſſed of any Dioceſs, (*Barlow* and *Scory* being then only Biſhops Elect of *Chiceſter*, and *Hereford*; and *Coverdale* never admitted or elected to any; and *Hoskins* a Suffragan) nor, had they had Dioceſſes, could have had any larger juriſdiction ſave only within theſe; at leaſt, being ſingle Biſhops, could have no Metropolitical Juriſdiction; which yet they conferred on *Parker*, not on their own ſurely, but on the Queens ſcore. And then, might not ſhe at pleaſure take away and ſtrip *Parker* again of all that Juriſdiction, which he held only on her gift? 4. Of their four Biſhops, that undertook to ordain *Parker*, three, *Barlow*, *Coverdale* and *Scory*, were upon ſeveral accounts juſtly before deprived of their Biſhopricks; and as for the fourth, *Hoskins* the Suffragan, theſe had their office formerly taken away, and never after reſtored. Neither, their authority ſtanding good, is one or two Biſhops a competent number for Ordination. 5. The Form of the Ordination of theſe new Biſhops, as it was made in *Edward* the Sixth's time; ſo it was revoked by *Synod* in Queen *Mary*'s days; and by no *Synod* afterward reſtored, before their Ordination. Revoked alſo by an Act of Parliament in Queen *Mary*'s days, and not by any Act reſtored, till long after the Ordination of Queen *Elizabeth*'s firſt Biſhops, *viz.* in 8. *Eliz.* 1. Upon *Bonner*'s urging hereupon, *that the Queens, were no legal, Biſhops.*

See above the Firſt and third Theſ.

4. *See before, §. 58. 189. 190.*

See before, §. 190.

5.

1. Mar. 2. c.

And for ſuch conſiderations as theſe, it ſeems, it was, that the Queen in her Mandate to *Coverdale*, *Scory*, *&c.* for the Ordination of her new Arch Biſhop *Parker*, *&c.* was glad, out of her Spiritual Supremacy, and Univerſal juriſdiction, (which the Parliament had either given, or recognized to belong to her; and had enacted alſo, *That Her Majeſty might aſſign, name and authorize any perſon being natural born Subjects to her Highneſs to exerciſe all manner of Spiritual Juriſdiction*, [of which Juriſdiction one Act is that of *Ordaining*.] See 1. *Eliz.* 1.) to diſpenſe, and give them leave to diſpenſe to themſelves,

§. 194. Where *Concerning the Queen as Supreme in Eccleſiaſticals her diſpenſing with the former Eccleſiaſtical Laws for their Ordination.*

with all former Church-laws, which could be tranſgreſt, in the electing, conſecrating, and inveſting of this Biſhop. The words in her Letters Patents to them are theſe, *Mandantes, quatenus vos eundem in Archiepiſcopum & paſtorem eccleſiæ prædictæ confirmare & conſecrare* &c. *velitis. Supplentes nihilominus Supremâ authoritate noſtrâ regiâ, ſi quid in vobis aut veſtrum aliquo, conditione, ſtatu, aut facultate veſtris, ad præmiſſa perficienda deſit eorum, quæ per leges eccleſiaſticas in hac parte requiruntur aut neceſſaria ſunt, temporis ratione & rerum neceſſitate id poſtulante.* [Which Diſpenſation ſome would reſtrain only to theſe Ordainers their uſing of the new Ordinal before it was licenſed again by a new Parliament after the repeal thereof by Parliament in Queen *Mary*'s day. But this was a ſcruple ſtarted afterward by Biſhop *Bonner*; and not now dreamt on. Nor did the new Ordinal want ſufficient Lay-licence, having the Queens; nor had the Parliament been defective in re-licenſing it (for which ſee *ibid.* Biſhop *Bramh.* p. 96:) nor are thoſe words in the Diſpenſation --- *Si quid in vobis, conditione, ſtatu* &c, *rerum neceſſitate id poſtulante*, applicable to it.]

Biſh. Bramh. Conſecrat. of Proteſtant Biſhop. 4.c. p. 94.

'And theſe are the words in the Inſtrument of Arch-'Biſhop *Parker*'s Confirmation. --- *Nos* &c, *prædictam electionem* Matthæi Parker *in Archiepiſcopum* &c, *Supremâ authoritate regiâ nobis in hac parte commiſſâ confirmamus. Supplentes ex ſupremâ authoritate regiâ nobis delegatâ, quicquid in nobis aut aliquo noſtrum* &c. And, notwithſtanding this regal Diſpenſation, yet afterward, 'Di-'vers queſtions [*to give you it in the words of the Statute* '8. Eliz. 1. c.] by overmuch boldneſs of ſpeech and 'talk, amongſt many common ſort of people being un-'learned, growing upon the making and conſecrating 'of Arch-Biſhops and Biſhops within this Realm, whe-'ther the ſame were and be duly and orderly done ac-'cording to the Law or not? [*give me leave here to ſuppoſe that theſe ſcrupulous people meant according to the Eccleſiaſtical Law; for what doth the obſerving of the Civil Law concern them in the ordaining of their Spiritual 'Governors?*] which is much tending to the ſlander of

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'all the State of the Clergy, being one of the greateſt 'States of this Realm; *It is anſwered to them* in the ſame Statute *thus*, 'That the Queens Majeſty in her Letters 'Patents *&c*, had not only uſed ſuch words, as were 'accuſtomed to be uſed by King *Henry* and *Edward*, but 'alſo had put, in thoſe Letters, divers other general 'words, whereby her Highneſs by her Supreme power 'and authority had diſpenſed with all cauſes, or doubts, 'of any imperfections or diſability, that could be ob-'jected againſt the ſame. So that to all thoſe that will 'well conſider of the ſupreme and abſolute authority 'of the Queens Highneſs [i. e. *in Eccleſiaſticals*] which 'ſhe had uſed and put in ure in the making and conſe-'crating of the ſaid Arch-Biſhops and Biſhops, it is evi-'dent, that no cauſe of ſcruple, ambiguity, or doubt, 'can be juſtly objected againſt the ſaid Conſecrations, *&c. Thus the Act.* And this is propoſed for the ſatiſ-faction of thoſe, whoſe chief ſolicitude was concerning the tranſgreſſing the Laws of the Church, in theſe Church matters. And the Anſwer ſeems in effect this, *That tho theſe Biſhops were ordained contrary to the Laws of the Church*, yet they were ordained *according to* the Laws of *the Land*: and that this was ſufficient to warrant the Ordination; becauſe theſe Laws of the Land had given authority to the Queen to diſpenſe with any re-pugnant Laws of the Church. *See it before*, §. 72.

Thus much of Queen *Elizabeth*'s change of her Clergy. §. 195.
And here I think meet to proſecute no further this Sub-ject; this reformed Clergy being ſuch perſons, as would act according to the pleaſure of a reformed Prince; and therefore it is not ſtrange, if the Prince acted no more againſt, but by, them; and began now a-new to uſe the Synod more, than the Senate, in the tranſaction of Spiritual Affairs.

CHAP. XIII.

The Opinion of ſeveral Proteſtant Divines concerning a Reformation in Religion made againſt a Major Part of the Clergy.

§. 195. *The opinion of ſeveral Proteſtant Divines touching the lawfulneſs of the Prince's reforming of Religion in matters of doctrine againſt the major part of his Clergy, when to him ſeemeth a neceſſity that requireth it.*

ONly, before I conclude this Diſcourſe, let me ſhew you, after all the reſt; that, as it hath been affirmed here, that the Reformation was not effected by the Clergy of this Nation, but by the Princes and their Council againſt the inclinations of the much major part thereof: So ſome of the ableſt of the reformed Divines, tho they contend, that our Princes did not ſo; Yet, as if they doubted much, whether they ſhould be able to make this good, do reſerve this as a ſecure retreat for themſelves; that a Prince, *when there is a neceſſity* that requires it, of which neceſſity the Prince is to judge, or *in caſes extraordinary*, of which caſes the Prince is to judge, *may lawfully reform Religion*, both in matters of Doctrine and Diſcipline, *contrary to the major part of the Clergy* (theſe Learned Men defending the Secular powers herein by the example of the good Kings of *Iſrael.*) Upon which alſo they make no ſcruple to joyn Communion with thoſe Tranſmarine Proteſtants, whom all grant to have reformed againſt all their Spiritual Superiors: Nay alſo, in the beginning of this work, ſuch Reformers were ſent for from abroad to aſſiſt them here againſt the contrary current of the Clergy of this Land. And indeed it ſeemeth but neceſſary that they ſhould patronize this Tenent; becauſe if they ſhould once maintain, That *no Reformation is valid, which is done againſt the major part of the National Clergy*; by the ſame reaſon they muſt aſſert, that the Reformation of no *National Clergy is valid, which is done againſt a major part of the Patriarchy*; or *of the Church, or Council*; to which this National Clergy will be found to owe obedience.

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The firſt teſtimony of thoſe I ſhall produce for this aſſertion, is that of Dr. *Field*. He, after theſe ſpecious Conceſſions, 'We do not make our Princes with their 'Civil States ſupreme in the power of commanding in 'matters concerning God and his Faith and Religion 'without ſeeking the direction of their Clergy. Again: 'We do not attribute to our Princes with their Civil 'Eſtates power newly to adjudge any thing to be He-'reſy, without the concurrence of the State of their 'Clergy; but only to judge in thoſe matters of Faith, 'that are reſolved on, according to former reſolutions. [*Where the Dr. ſeems to leave the Prince no liberty to judge or eſtabliſh any thing in matters of Faith according to his own opinion: but, in matters formerly determined confineth him to the judgment of former Councils; in matters not formerly determined, to the judgment of his Clergy* [i. e. *the major part thereof:*] Yet, after ſuch ſpecious Conceſſions, I ſay, he proceedeth, as it were to protect the Reformation, on this manner. 'Touching errors of 'Faith or aberrations in the performance of God's Wor-'ſhip and Service, there is no queſtion, but that Biſhops 'and Paſtors of the Church, to whom it appertaineth 'to teach the truth, are the ordinary and fitteſt Judges: 'and that *ordinarily and regularly* Princes are to leave 'the judgment thereof unto them. But becauſe they may 'fail [*they*; i. e. *the Biſhops and Paſtors of the Church, and not onely ſingle perſons, but Synods of them; elſe ſingle perſons failing may eaſily be reduced by Synods, and a minor by the major part, and ſo long the Prince judges with his Clergy not againſt them; and the Judgment of ſuch things being made by this major part is ſtill* ordinary and regular. *Neither needs the Prince to remove the matter from theſe, to other, Judges*] either thro negligence, ignorance, or 'malice, Princes having charge over Gods people; and 'being to ſee, that they ſerve and worſhip him aright, 'are to judge and condemn them [*the foreſaid Clergy*] 'that fall into groſs errors contrary to the common ſenſe 'of Chriſtians; or, into any other Hereſies formerly 'condemned [*I conceive he meaneth, condemned by former*

§. 197. *The Opinion of Dr.* Field. *Of the Chur.* l. 1. 53. c.

'*mer Councils.*] And tho there be no general failing [*in* '*the Clergy*:] yet if they ſee violent and partial courſes 'taken, they may interpoſe themſelves to ſtay them, 'and cauſe a due proceeding; or remove the matter 'from one ſort of Judges to another [*I ſuppoſe he meaneth, either from the whole Clergy to Secular Judges; or from that part of the Clergy tho more which he diſlikes, to ſome others of the Clergy tho fewer whom he approves: for to remove the matter from fewer to more is* regular and ordinary. *But here he ſpeaks what the Prince may do extraordinarily.*] Thus Dr. *Field.*

§. 198. *Tort. Tort. p.* 372. Who (not to urge Biſhop *Andrews* his obſervation againſt him: *Ad extraordinariam poteſtatem confugere non ſolet quis, niſi cui deplorata res eſt.*) here ſeems to fix the Prince, as one that cannot *fail thro negligence, ignorance or malice* to others, or at leaſt cannot fail ſo ſoon, as the whole body of the Clergy may; (what not fail *in ignorance* of Divine matters ſooner than they?) *As one that hath a charge over Gods people, and is to ſee, that they worſhip God aright*: as if the Clergy had not ſuch charge much more than he; or, as if he could judge what was right in Gods Worſhip, better than they. Again: he repreſents this body, or the major part of this Clergy as thoſe that may *fall into groſs errors contrary to the common ſenſe of Chriſtians*; *and into Hereſies condemned*, he meaneth, by *former Clergy*. But why may not thoſe former Clergy be ſuppoſed by the Prince to have erred ſometimes contrary to the common ſenſe of Chriſtians, as well as the preſent Clergy? And if the preſent Clergy may err againſt common ſenſe in Spiritual matters; why may not the Secular Prince ſooner? And why ſhould not they diſcern former condemned Hereſies, better than he? Or if in all theſe things the Prince be liable to miſtakes, to ſects, and ſides, and partialities, as much as they: why are not they made his *Judges* in theſe Spiritual matters, who cannot be denyed to be his *Spiritual Fathers* in reſpect of his Chriſtianity; rather than he theirs? But however this Dr. plainly ſaith: that there may be ſome caſes, wherein, concern-

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ing errors in Faith, or aberrations in the performance of Gods Worſhip, the Prince may judge and condemn the whole Clergy; or may remove the matter from their, to a Secular, judgment, or to ſuch other Eccleſiaſtical Judges, as he ſhall chooſe; who hardly can ever want ſome amongſt the Clergy ſuting with his deſires.

§. 199. *Of Mr.* Maſon. *De Miniſt. Ang.* 3. l. 3. c. 4.

In the next place hear the judgment of Mr. *Maſon de Miniſt. Angl.* He, after having thus expoſtulated with his Adverſary [*Quis enim noſtrum unquam affirmavit Principes in cauſis fidei & religionis ſupremos eſſe cognitores & judices? De hac a Cardinale* Bellarmino *& aliis Pontificiis eccleſiæ* Anglicanæ *illatâ injuriâ ſic olim conqueſtus eſt doctiſſimus* Whittakerus --- *Affirmat* Jeſuita *hunc judicem non eſſe Principem aliquem ſæcularem.* Reſpondeo: *Hoc quoque nos dicimus*] Thus ſtates this matter to *Philodoxus, p.* 272. *Paſtorum eſt dubia Legis explicare: Regum vero veritatem cognitam* [ſibi] *promulgare & ſubditis cujuſcunque ſint ordinis* [*i. e.* whether Clergy or Laity] *imperare.* [But here I cannot but ask one queſtion: *May not the Clergy then veritatem cognitam, quandocunque rex contra nititur, promulgare ſubditis ſuis, in illius regno, quorum animarum curam gerunt?* Now to go on] *Regis enim eſt* (ſaith he pag. 273.) *ex præſtituto legis omnia facere. Adhibebit igitur media, quæ hac in cauſâ adhiberi par eſt: leget ſcripturas, orabit Dominum, & juris divini peritiſſimos conſulet. Nec tamen ſplendidis hominum titulis aut ſuffragiorum numero, aut locorum privilegiis, tantum deferet, quantum veritati* [*i. e.* that which he conceives to be truth:] *paucis ſecundum ſcripturas docentibus* [*i. e.* whom he conceives to teach ſo] *potius credet, quam* 400 *pſeudoprophetis pro cultu* Baalis *contendentibus.* [And after ſuch conſultation, then] *Illius eſt ſerenitatis ſuæ edicta ſancire & promulgare.* So 3. l. 4. c. he ſaith concerning his oppoſing Councils, *Imperator etiam in ſacroſanctis fidei myſteriis pro veritate* [*i. e.* quæ ſibi videtur] *jubere poteſt, Concilii decreto in contrarium non obſtante.* And, *Penes Imperatorem eſſe poteſtatem Conciliorum conſtituta ſacris Scripturis conſentanea* [*i. e.* quæ ſibi

ſibi videntur, aut aliis paucis] *confirmandi, contraria vero caſſandi, agnoſcit* Leo [but he miſtaketh *Leo.*] And *Neque ad Primatum Regium quicquam intereſt, ſive prælucentes Synodorum ſententias habeat rex, ſive non habeat. Sive enim veritatem cæleſtem ipſi dignoſcant, ſive a prælatis ſuis edocti ediſcant, dummodo pro veritate* [*i. e.* quæ ſibi videtur] *jubeant & leges condant, verè ſe exhibent ſupremos gubernatores.* Thus Mr. *Maſon.*

See below, §. 211.

§. 200. Let us now ſee, what he hath ſaid. The King, before he do any thing in Controverſies of Religion, ought to conſult the Clergy, and to follow the truth known. What? That which the Clergy tell him to be the truth? *No.* But only that, in which he findeth them to judge aright and according to the Scriptures; which judgement he may entertain, tho it be a ſmaller part of the Clergy that judge ſo. Here therefore the King judgeth, when, or which of the Clergy judgeth aright, and which otherwiſe: and is at his liberty, to follow therein any number of them. And neither is he thus a Judge for himſelf-only, *judicio diſcretivo*, as they call it; but for others too, *judicio deciſivo* (which the Clergy are not) ſo far, as to promulgate and command all his Subjects, and amongſt them the Clergy, to obey that which he, upon conſulting the Clergy and hearing their reaſons, judgeth to be according to Gods word: and this without the conſent of the Clergy at all; or at leaſt of the major part of them. But they may not promulgate what they judge according to Gods word in ſuch Controverſies without the Kings conſent. And yet *quis enim noſtrum unquam affirmavit, Principes in cauſis fidei & religionis ſupremos eſſe cognitores & judices?* I would fain ſpeak it plainly, if I could. A Controverſy is agitated in Religion; the King conſulteth his Clergy about it; they give him their reaſons, why ſuch a Propoſition is agreeable to the Scriptures. He conſiders the Scriptures and their reaſons, and judgeth, upon it, that their reaſons are faulty; and that they define not *juxta legem &c*; and that the contradictory Propoſition, which perhaps ſome few of the Clergy compared with the

the reſt, or perhaps none of them maintain, is according to Scripture. Whereupon he publiſheth this contradictory Propoſition to all his Subjects, Clergy as well as Laity, by his edicts; and requireth their obedience thereto. Is not the Prince then a Judge of ſuch Controverſy, as well as, nay rather than, the other, and over, and after, the other? Commanding obedience to him from the other? 'Tis true: that Mr. *Maſon* and others acknowledge in matters of Religion no viſible judge on earth, that is infallible. But he acknowledgeth a Judge, *judicio diſcretivo* for himſelf; and this is every private man. Again he acknowledgeth a Supreme viſible publick Judge on earth, *judicio deciſivo*; ſo far as to command ſuch a Doctrine to be received by all his Subjects Eccleſiaſtical and Laick for a truth, which he, by his *judicium diſcretionis*, holds to be ſo. And this is every Chriſtian Prince within his own Dominions. Therefore Mr. *Maſon* ſticks not to ſay elſewhere; *Nihil impedit, quin Principes doceant ſuo modo*, i. e. *regali. Nam qui legem ſalutarem ſancit, is quid faciendum ſit docet. Docet* (inquam) *omnes ſuos ſubditos, etiam Epiſcopos; eoſque, ſi forte in hujuſmodi legem incurrant*, [*i. e.* his Spiritual Law, made by him ſometimes againſt their conſent, when by his *judicium diſcretivum* he diſcovers them to err] *juxta eandem judicare poteſt.* However this is clear out of Mr. *Maſon*; 1. that, *Regis eſt veritatem cognitam promulgare, & ſubditis, cujuſcunque ſint ordinis, imperare.* And 2. that, in conſulting his Clergy about ſuch truth, he ought not *ſuffragiorum numero tantum credere, quantum veritati*; and ought *paucis ſecundum ſcripturas docentibus* [*i. e.* in his opinion, which Prince is, caſually, of an able, or weak, judgment, as other men are] *potius credere, quam* 400 *non docentibus ſecundum ſcripturas.* Which I undertook to ſhew you. Therefore King *Edward* ſhall rather believe *Cranmer* and *Ridley*, and Queen *Elizabeth* Dr. *Cox* and Mr. *Grindale docentibus veritatem*, (*i. e.* moſt commonly, that Doctrine, to which ſuch Princes have been formerly educated and accuſtomed,) than 400 in a Synod teaching the contrary...

De Minift. 3. l. 6. c.

§. 101. *Of Biſhop Andrews.*

The next I ſhall name to you on this ſubject is Biſhop *Andrews*; who after he had declared thus in *Tort. Tort.* p. 380. *Rex noſter veſtrum illud (quod ad* primatum pontificium *proprie pertinere dicitis) docendi munus, vel dubia legis explicandi, non aſſumit:* Yet in his *Reſp. ad Apolog. cap.* 14. *p.* 332. to *Bellarmine* urging *Deut.* 17. &c. That *the ſupreme deciſive judgment in divine matters belongeth to the Prieſts*, thinketh fit to anſwer thus; *Rex adibit Sacerdotes; ubi tamen hoc fecerit, cum in* Deuteronomio *dicere jubeantur ſacerdotes & docere juxta legem Dei, leget exemplar ſuum Rex (quod ſibi deſcripſit, ut ſecum habeat) ut ſciat an ex eâ reſpondeant. E* Malachiâ *ſciet, eos a quibus requirere jubetur legem, interdum recedere de viâ, & ſcandilizare plurimos in lege: quare recurret denuo ad exemplar ſuum. A Chriſto autem diſcet*, ut Phariſæos *e cathedrâ docentes audire, ita a* Phariſæorum *fermento*, i. e. *doctrinâ aliquâ, cavere.---Paſcua petet; nec ſibi Paſtor erit, ſed ſibi tamen guſtabit: &, ſi amarum pabulum & noxium, guſtabit, ut Chriſtus acetum: quod, cum guſtaſſet, nolnit bibere.* Where the Prince is allowed both to try and reject the Clergy's doctrines; when, upon taſting, he finds the doctrine to be *pabulum amarum & noxium*, and the Clergy, *recedere de viâ; & non docere juxta legem* Dei. And then, ſince the Prince doth not taſt and try only for himſelf, as private perſons do, but for all his Subjects alſo; conſequently it will belong to him, *veritatem cognitam promulgare, & ſubditis ſuis cujuſcunque ſunt ordinis imperare* againſt the Prieſts, when *recedentes e viâ.* Wherein the Biſhop's, concurs with *Maſon*'s, Doctrine. Again: *Cap.* 1. to *Bellarmine* urging a place of S. *Ambroſe* he replies thus; *Verum laudat* Ambroſium, *qui negat in cauſis eccleſiaſticis* Imperatorem *idoneum cognitorem* [*i. e.* judicem] *Quem?* Valentinianum *juniorem, imberbem, nec dum baptizatum, totum ex matris arbitrio pendentem, quæ ipſa* Ἀρειομανίς. *Sed eſto. Quid hoc ad rem? Non de cognitione cauſarum hic agitur, ad quam non tam fortaſſe ſemper idoneus Rex (qui ſæpe immaturâ ætate, ſæpe infans, ſæpe* Marti *magis addictus, quam* Mercurio.) *Agitur de authoritate, quæ idoneos*

See the like Tort. Tort. p. 370.

St. Ambroſ. Ep. 2. *l.* 13. *epiſt.*

neos

neos cognitores det. Where the Biſhop 1. firſt ſeemeth very loth to yield Princes *in cauſis eccleſiaſticis non eſſe idoneos cognitores*; uſing a *non tam fortaſſe ſemper*; and catching at *Valentinian*'s being *junior, imberbis, nec dum baptizatus, ex matris arbitrio pendens*, &c. When as S. *Ambroſe* giveth his reaſon plainly, for that the Emperour was *Laicus*. (But upon this word the Biſhop thought not fit to touch) *Quando audiſti* (Clementiſſime Imperator) (ſaith St. *Ambroſe*) *in cauſâ fidei laicos de Epiſcopo judicare?* What? not, *quando Epiſcopus recedit de viâ, quando non docet juxta legem*; then ſhall not the Prince recurrere *ad exemplar ſuum* &c? 2. The Biſhop in allowing, at laſt, this authority to the Prince [*ut det idoneos cognitores*] I think will be found to allow, what he would fain wave. For what meaneth he by *dare idoneos cognitores?* The authority to call a Council or Synod of the Clergy, thoſe Judges whom our Lord Chriſt hath given us for theſe matters; to be changed or altered by no other Lord whatever; whoſe final judgment in theſe matters the Prince himſelf is to ſtand-to and follow? But this cannot be his meaning; becauſe after their teaching and judgment, the Prince is to *recurrere ad exemplar ſuum: a fermento e cathedrâ docentium cavere*: not only *ſibi*, but *ſubditis ſuis guſtare*; whether their Pabulum be *dulce & ſalutare*, or *amarum & noxium*; and accordingly to recommend, or prohibite it to his people. Or meaneth he, that, amongſt this Clergy that are not all of one judgment (for example, ſome reformers, a ſmaller part; ſome anti-reformers, a greater;) the Prince may authorize thoſe of them, whom he judgeth the more orthodox, to be the *cognitores in cauſis eccleſiaſticis?* But thus, amongſt theſe *Cognitores* differing, for the Prince to chuſe and decide which party of them ſhall decide ſuch controverſies, is all one in effect, as for himſelf to decide ſuch controverſies; He allowing ſuch and not another to be teacher, from firſt a judging and an approving of, his Doctrine.

1.

2.

See 3 Theſ. §. 5, 6.

I muſt confeſs I find elſewhere a timorouſneſs, as to me ſeemeth, in Biſhop *Andrews*, tho ſpeaking much on

§. 202.

this Subject, to ſpeak out plainly concerning this branch of Supremacy; *Whether the Prince may reform any thing in matters of Faith againſt* the major part of Church-Governors or againſt *Synods*: Yet is this the chief point of Supremacy which ſuſtaineth the Engliſh Reformation. Amongſt all the parts of the Regal *Primacy*, which he reckoneth up p. 373. and again p. 380, 381. againſt *Tortus*, this is not, that I can diſcern at all, directly ſpoken to. He ſaith indeed p. 380. *Regi jus nullum eſſe vel fidei novos articulos, vel cultus divini novas formulas procudendi.* But here *novos* may be oppoſed either to the former decrees of the Synods and Councils of the Church; or only to the Scriptures; and he may mean the later. Again, p. 365. to *Tortus* ſaying; *Regi ex officio incumbere, ut qui in doctrinâ ſunt abuſus & corruptelas tollat; ſed poſt eccleſiæ declarationem:* he anſwers; *Nos vero citra declarationem omnem, ubi repurgatæ ſunt corruptelæ per Reges, docemus.* Where you may obſerve this ſtill left in doubt: Whether *Rex contra declarationem* &c. may do ſuch things; and yet, if the King be bound to conſult the Church firſt in ſuch matters, according to *Mal.* 2. 8, his reforming will ſtill be either *ſecundum*; or *contra*; and not *citra* only. Neither is it credible, but that both *Hezekiah* and *Joſiah* &c. conſulted with the Prieſts in their Reformation. Again, p. 369. he ſaith: *Authoritate Rex propriâ reſecare poteſt ſuperſtitiones quas ſacerdotes ipſi tolerant*; but he ſaith not; *quas ſacerdotes ipſi docent non eſſe ſuperſtitiones.* Again, p. 364. he ſpeaks thus of a thing done. *In* Iſraele *præcipua in re religionis partes penes Regem extiterunt; vel uno hoc argumento, quod per ſacræ hiſtoriæ ſeriem totam mutato novi regis animo mutata ſemper eſt facies religionis. Nec Pontifices unquam vel præſtare poterant, ut fieret mutatio in melius; vel ne fieret in pejus, impedire.* And p. 368. *Paſſim per faſtos ſacros quod in religione fit, a rege fieri diſerte dicitur, Regis factum eſſe: Pontificis haud unquam, niſi ex Regis mandato.* But I hope he will not hence infer; that *ſumma religionis* is not *penes Pontifices*, if the Prince apoſtatizeth from the true Religion; or that the Church Gover-

Governors may do nothing *contra Regis mandatum*; nor may oppoſe him and teach the people contrary to his Reformations; where they judge that he reformeth not aright (what did the Church-Governors for the firſt 300 years?) Eſpecially ſince p. 377. (which I deſire you much to mark) he alloweth ſuch Eccleſiaſtical Primacy as the good Kings of *Iſrael* uſed, not to all, but only to Chriſtian, Princes; and to Chriſtian Princes, not all, but only *thoſe not heretical*; and I ſuppoſe he would ſay alſo, not ſchiſmatical (for if the Prince were heretical or ſchiſmatical he well ſaw the miſchief of ſuch a power) ſo he ſaith there. *Interim autem ſit vel infidelis* [Princeps] *ſit vel hæreticus*; *Oretur pro eo, non minus quam pro* Nebuchadonozar; *nemo vitæ ejus inſidietur, non magis quam* Ahaſueri. *Fidem penes ſemet habeant Chriſtiani ſubditi coram Deo, cæteris in rebus pietatem colant. Non ergo id agitur, ut eccleſiæ perſecutores eccleſiæ gubernatores habeantur* &c. And ſomething toward this ſaith Mr. *Maſon, de Miniſt.* 3. l. 5. c. if I rightly underſtand him. *Regibus, qui vel non ſunt chriſtiani; vel ſi chriſtiani, non tamen orthodoxi; vel ſi orthodoxi, non tamen ſancti, primatus competit quidem, ſed* ſecundum quid: i. e. *quoad authoritatem, non quoad rectum & plenum uſum authoritatis; quoad officium, non quoad illuſtrem executionem officii* [none ſuch therefore may execute any Eccleſiaſtical Primateſhip, unleſs the Author ſeek for ſome refuge in the Epithets *rectus, plenus, & illuſtris.*] And the ſame ſaith Biſhop *Bilſon.* 'When the Magiſtrate doth not regard, 'but rather afflict the Church, as in times of *infidelity* 'and *hereſy*; who ſhall then aſſemble the Paſtors of any Province to determine matters of doubt or danger? [*To which queſtion he anſwers*] The Metropolitan. Now if no Prince heretical, tho Chriſtian, hath any Primacy in Eccleſiaſtical Affairs; before we yield ſuch Primacy to a Prince, we muſt know, whether he be not heretical; and who can ſo rightly judge of this, as the Church or Clergy? And then, will not the Church (and is it not right to,) judge him ſuch, when he oppoſeth her preſent or former definitions in matters of Faith? See

Church

Church Govern. 3. Part, §. 42. And what juſt Supremacy, then, for matter of Doctrine, is left here to the Prince, but an authorizing by his coactive power the Church's decrees? Which Regal Supremacy all ſides allow. But, as I ſaid, this is contrary to what Biſhop *Andrews* ſaith elſewhere; that the Princes Supremacy may oppoſe the Clergy, when they do (*i. e.* when he thinks they do) *recedere de viâ, & non docere juxta legem Dei* &c.

§. 103. *Of Mr.* Thorndike.

The fourth Author I ſhall produce is Mr. *Thorndike*, who writing very rationally and reſolutely in vindication of the Church's authority, as uſing his Pen againſt modern Sectariſts, yet takes care alſo to ſave the *Phænomena* of the Reformation. He therefore, in his *Right of the Church*, 5. c. p. 248. after he had with much freedome ſhewed, That the Succeſſion of the Clergy in ſuch a Government as that the viſible Communion of the whole Church might be perpetually kept in unity, was a Law ordained by the Apoſtles: and That the Reformation made in *England* had plainly violated this Law, in that the new Biſhops that were introduced were made without and againſt the conſent of the former (ſome of his words are cited before §. 200.) taketh this courſe to ſolve this difficulty, and to preſerve the Engliſh Reformation, notwithſtanding this, from being unlawful or ſchiſmatical. 'To come then (ſaith he) to the 'great difficulty propoſed: it is to be acknowledged, 'that the power of the Church, in the perſons of them 'to whom it is derived by continual Succeſſion, is a 'Law ordained by the Apoſtles, for the unity of the 'Church *&c.* But withal it is to be acknowledged, 'that there are abundance of other Laws given the 'Church by our Lord and his Apoſtles, whether they 'concern matters of Faith; or matter of Works, *&c.* 'which proceeding from the ſame, if not a greater, 'power, than the Succeſſion of the Church, are to be 'retained all, and every one of them with the ſame re-'ligion and conſcience [*as the ſucceſſion of the Church.*] 'Again, I have ſhewed indeed, that the ſecular power 'is

see before, §. 188.

'is bound to protect the Eccleſiaſtical, in their deter-
'mining all things which are not [*otherwiſe*] deter-
'mined by our Lord and his Apoſtles; and to give force
'and effect to the acts of the ſame. But in matters al-
'ready determined by our Lord and his Apoſtles, as
'Laws given to the Church, if by injury of time the
'practice become contrary to the Law; the Sovereign
'power, being bound to protect Chriſtianity, is bound
'to employ it ſelf in giving ſtrength, firſt, to that which
'is ordained by our Lord and his Apoſtles. By conſe-
'quence, if thoſe, with whom the power of the Church
'is truſted, ſhall hinder the reſtoring of ſuch Laws; the
'Sovereign power may and ought, by way of penalty
'to ſuch perſons, to ſuppreſs their power; that ſo it
'may be committed to ſuch as are willing to ſubmit to
'the ſuperior Ordinance of our Lord and his Apoſtles.
Here Mr. *Thorndike* holds, that *the Secular power may reſtore any law, which Chriſt or his Apoſtles have ordained*, not only againſt a major part, but all, the Clergy, and Governors of the Church: and *may*, for a penalty of their oppoſing it, *ſuppreſs their power and commit it to others*, tho they alſo be eſtabliſhed by another Law Apoſtolical. Which was the thing I undertook to ſhew you.

But to ſay ſomething to this diſcourſe of his. What reaſonable man is there hearing this, that will not preſently ask: *Who ſhall judge, whether that be indeed a Law ordained by our Lord or his Apoſtles, which the Prince would introduce or reſtore, and the ſucceſſion of the Clergy doth oppoſe?* Which Clergy ſure will never confeſs ſuch to be a law of our Lord, but always will profeſs the contrary: nay will ſay, that the ſucceſſion of the Clergy ſhall keep, teach, and maintain, our Lord's laws to the end of the world? This queſtion he asketh not; he ſolveth not; as writing againſt the Presbyterians, who will not ask it him. But what can he ſay? Shall the Clergy judge? They deny it to be the Lord's law, what he, againſt their conſent, would reſtore. Shall the Prince judge? But this is moſt unreaſonable, that the judgment of a Laick ſhall be preferred before the whole ſucceſſion

§. 204.

ceſſion of the Clergy in Spiritual matters. And what miſchief will come hereupon, if he judge amiſs? And here let me ſet before him his own rules: *Right of Chur.* 4. c. p. 235. Such a difference falling out [ſaith he, 'i. e. *between the ſecular power and the Biſhops*] ſo that 'to particular perſons it cannot be clear, who is in the 'right [*as how can it be clear to particular perſons, which is not to their guides in thoſe matters; and which is not to other particular perſons, who alſo think the contrary clear?*] 'it will be requiſite for Chriſtians, in a doubtful caſe, 'at their utmoſt perils, to adhere to the guides of the 'Church, againſt their lawful Sovereigns. But, if this his anſwer, that *the Prince may ſuppreſs the Apoſtolical power of the Clergy, when this goeth againſt other our Lords or the Apoſtles Laws*, be unſatisfying to the great difficulty he propoſeth, I know not what other can poſſibly be returned to that his objection. And I wonder that this conſiderative man, who holds not the Pope to be Anti-Chriſt, or the Hierarchy of the Church to be the followers of Anti-Chriſt, ſhould make ſuch a ſuppoſition as this: *that the Apoſtolical Succeſſion of the Clergy ſhould oppoſe our Lords or the Apoſtles laws, ſo far, as that we ſhall depend on the Laity to reſtore them, and to protect Chriſtianity againſt their Guides.*

§. 205. *Of Doctr.* Heylin. The fifth is Dr. *Heylin*. Whoſe teſtimonies juſtifying King *Edward* and Queen *Elizabeth*'s reforming by their own ſole authority; or only with the advice of ſome few of their Clergy, where they perceived that the reſt would not comply, See before, §. 129. Yet, this their reforming I have ſhewed to have been, for ſome part of it, in matters of Doctrine and Faith. To which former teſtimonies I will add here; 1. Firſt, what he ſaith concerning the Clergy's not having any lawful power to conclude any thing in Spiritual matters that may bind King or Subject, till the Royal authority confirmeth it; contrary to the firſt *Theſis*. 'It is 'true (ſaith he) the Clergy in their Convocation can 'do nothing now, but as their doings are confirmed 'by the Kings authority. And I conclude; it ſtands 'with

Reform. Juſtified, p. 86. 1.

'with reaſon, that it ſhould be ſo. For ſince the two 'Houſes of Parliament can conclude nothing, which 'may bind either King or Subject in their civil rights, 'until they be made good by the royal aſſent; ſo nei- 'ther is it fit nor ſafe, that the Clergy ſhould be able, 'by their Conſtitutions and Synodical Acts, to con- 'clude both Prince and People in Spiritual matters [*what not in ſuch, as Prince and People grant to intrench upon no civil Right?*] until the ſtamp of Royal Autho- 'rity be imprinted on them. [*What if ſuch ſupreme Governor be an Heretick, an Arrian, an Anabaptiſt,* &c?] *Ib.* p. 84.

2. What he ſaith concerning the King of *England*'s having lawful power to act without his Clergy; as the Clergy, having conferred on him all their power, which they formerly enjoyed in their own capacity. Which was *Philpot*'s Plea recited before, §. 168. contrary to the Second *Theſis.* 'The Kings of *England* (ſaith he) 'had a further right as to this particular; which is a 'power conferred upon them by the Clergy (whether 'by way of recognition, or conceſſion, I regard not 'here) by which the Clergy did inveſt the King with 'a ſupreme authority, not only of confirming their 'Synodal Acts not to be put in execution without his 'conſent, but in effect to devolve on him all that power 'which firmly they enjoyed in their own capacity [*amongſt which Powers* (*p.* 85.) *he nameth this,* To reform ſuch Errors and Corruptions, as are expreſly contrary to the word of God] 'And to this we have a parallel 'caſe in the Roman Empire; in which the ſupreme 'Majeſty of the State was veſted in the Senate and Peo- 'ple of *Rome*, till by the Law, which they called *Lex* '*Regia*, they transferred all their power on *Cæſar* and 'the following Emperors. Which Law being paſſed, 'the Edicts of the Emperor were as binding, as the '*Senatus-conſulta* had been before. Whence came that 'memorable Maxime in *Juſtinians Inſtitutes*, *Quod Prin-* '*cipi placuerit*, *legis habet vigorem.* The like may be 'affirmed of the Church of *England.* The Clergy had 'ſelf authority in all matters which concerned Religion; 2.

'and by their Canons and Determinations did bind all 'the Subjects; till by acknowledging King *Henry* the 'Eighth for the Supreme Head, and by the Act of Sub- 'miſſion not long after following, they transferred that 'power upon the King and his Succeſſors. After which 'time *whatſoever* the King or his Succeſſors did in the 'Reformation, as it had virtually the power of the Con- 'vocation; ſo was it as good in law, as if the Clergy 'in their Convocation particularly and *in terminis* had 'agreed upon it. And tho in moſt of their proceedings 'toward Reformation the Kings adviſed with ſuch Bi- 'ſhops as they had about them, or could aſſemble with- 'out trouble; yet was there no neceſſity, that all or 'the greateſt part of the Biſhops ſhould be drawn toge- 'ther for that purpoſe; no more than it was anciently 'for the godly Emperors to call together the moſt part 'of the Biſhops in the *Roman* Empire for the eſtabliſh- 'ing of the matters which concerned the Church; or 'for the godly Kings of *Judah*, to call together the 'greateſt part of the Prieſts and Levites, before they 'acted any thing in the Reformation of thoſe corrup- 'tions and abuſes, which were crept in amongſt them. Thus Dr. *Heylin*, p. 84.

§. 206. Indeed elſewhere he ſeemeth to put ſome limitations to the Prince's acting in ſuch matters without or againſt their Clergy; but then theſe limitations are ſuch, as that the reforming Prince's acts have tranſgreſſed his Rules.

P. 80, 81. To this purpoſe he ſaith, 'That, whereas Reforma- 'tion may be, firſt, in corruption of manners or abuſes 'in Government; ſecondly, in matters practical; third- 1. 'ly, in points of Doctrine; 1. Firſt, That if the things 'to be reformed be either corruptions in manners, or 'neglect of publick duties to Almighty God; be abuſes 'either in Government, or in the parties governing; 'the King may reform this himſelf by his ſole authority, 'tho the whole body of the Clergy or the greateſt part 2. 'thereof ſhould oppoſe him in it. 2. That if the practice 'prove to have been both ancient and univerſally re- 'ceived over all the Church; the King conſulting with

'ſo

'ſo many of his Biſhops and others of his moſt able Clergy as he thinks fit to call unto him, and having their 'conſent and direction in it, may in caſe of intermiſſion 'or corruption, reſtore ſuch practice to its primitive 'luſtre [*tho he do it againſt the major part of his Clergy or Synod, as you may ſee*, p. 83.] 3. He intimates; That 3. if the Reformation be in ſuch point of Doctrine, as hath been before defined in a General Council or in particular Councils univerſally received and countenanced; the King conſulting with ſome of his learned Biſhops may enjoyn it without or againſt a Synod. 4. But he ſaith: 4. 'That if the Reformation be in ſuch points of Doctrine, 'as have not been before defined in ſuch manner; the 'King, only with a few of his Biſhops and Learned 'Clergy tho never ſo well ſtudied in the point diſputed, 'can do nothing in it. That belongs only to the whole 'body of the Clergy in their Convocation rightly called 'and conſtituted. So he ſaith, p. 85. 'That the King 'cannot determine Hereſies. 5. From this by neceſſary 5. conſequence it follows: That *if any point of doctrine hath been determined by a former General Council* (I add, or lawful ſuperior Council) the King neither againſt, nor without, (I add, nor with) *the major part of his Clergy, can reform, or eſtabliſh the contrary of, ſuch doctrine.*

Now to reflect on the Drs. Limitations. Concern- §. 207. ing the two laſt, I leave it to your judgment, whether, in the inſtances made above, the contrary to ſeveral doctrines determined by former lawful General, or other ſuperior, Councils, have not been eſtabliſhed by our reforming Princes, without, or alſo againſt, the major part of their Clergy. And again; whether other doctrines not determined by any former lawful Council, yet have not thus alſo, without any ſuch conſent, been eſtabliſhed by them. Both which Dr. *Heylin* condemneth. Again, concerning all theſe limitations, I ask; when all or the major part of Clergy affirmeth, that ſuch things are not corruptions in manners, nor abuſes in Government; that ſuch practices are not primitive, nor univerſal; that ſuch doctrines are not formerly ſo

mined; and none or a ſmaller part of the ſaid Clergy ſaith the contrary: How will Dr. *Heylin* here direct the Kings Supremacy? Will he here allow him, after hearing all, to follow his own judgment? Or that of the fewer againſt his Synod, or the major part thereof? It ſeems in ſome things he will not allow it; (See *Limitation* the fourth) and it ſeemeth unreaſonable to be allowed in any of the reſt. For why ſhould not a Synod diſcern corruption in manners, as well as he, or ſome few? Or why may not he miſtake and miſcall their reaſon, *paſſion*, or *partiality*? But if the Prince follow the major part of his Clergy in their judgment of what are corruptions, what are formerly defined *&c.* then cannot the Prince be ſaid or ſuppoſed to reform ſuch corruptions *&c.* againſt this major part; whoſe judgment in this Reformation of them he followeth.

§. 208. *Of Doctor Fern.* *Exar. Cha. 9. c. 19. §. 7. 290.*

The laſt I ſhall propoſe to your conſidering is Dr. *Fern*, who ſpeaketh ſomewhat more particularly in this matter. 'He, firſt, affirmeth indeed in behalf of the 'Clergy, that the Biſhops and chief Paſtors of the Church 'are the immediate, proper and ordinary, Judges in de- 'fining and declaring what the Laws of Chriſt be for 'Doctrine and Diſcipline.---And, That they have a co- 'ercive power in a Spiritual reſtraint of thoſe that ob- 'ſtinately gain-ſay, as far as the power of the Keys, 'put into their hands by Chriſt, for Spiritual binding 'and looſing, will reach. And that this power is coer- 'cive or binding upon all ſuch as are willing to be Chri- 'ſtian and continue in the Society of the Church [*I ſuppoſe therefore upon Chriſtian Princes alſo, if obſtinately gain-ſaying*] And 20. §. He quoteth, 1. *Eliz.* 1. 'That 'the judging of Hereſy is reſtrained, for Hereſies paſt, 'to the Declaration of the firſt General Councils, and 'for ſuch as ſhall ariſe, to the aſſent of the Clergy in 'their Convocation. And §. 15. he ſaith: It is a mi- 'ſtake to think, that the Prince by his ſupreme power 'in Spiritual things is made ſupreme Judge of Faith, 'and decider of all Controverſies thereunto belonging, 'and may ordain what he thinks fit in matters of Re- 'ligion.

'ligion. ---Again, *Ibid.* he affirmeth; that the Prince's 'giving publick eſtabliſhment [*to the doctrine defined by 'the Clergy and evidenced to him*] is not in order, to our 'believing (as the Romaniſts uſe fondly to reproach us, 'in ſaying our belief follows the State;) but to our 'ſecure and free profeſſion and exerciſe of Religion. 'For Kings and Princes are not Miniſters by whom we 'believe, as Paſtors of the Church are. 1. *Cor.* 3. 9. 'And §. 21. That we muſt attend to the evidence of 'truth given in or propounded by the Paſtors of the 'Church, who have commiſſion to do it in order to our 'believing; and muſt yield obedience to the eſtabliſh-'ment of the Sovereign, either by doing and conform-'ing thereunto, or by ſuffering for not doing accord-'ing thereunto. And §. 25. That it is the office of the 'Paſtors of the Church to evidence what is truth and 'conformable to Scripture, and that in order both to 'our and to the Prince's believing. ---Again §. 21. he 'affirmeth, that the immediate and ordinary judgment 'of matters of Religion belongs to Biſhops and Paſtors 'of the Church in order to our believing: but that a 'ſecondary judgment is neceſſary in the Sovereign; for 'his eſtabliſhing by Laws that which is evidenced to 'him upon the judgment and advice of the Paſtors of 'the Church [*or* (as §. 23.) *for his being ſatisfied, that what is propounded as Faith and Worſhip is according to the law of Chriſt, before he uſe or apply his authority to the publick eſtabliſhment of it:*] and this upon a double reaſon. [*the firſt of which is*] In reſpect of his duty to God, 'whoſe Laws and Worſhip he is bound to eſtabliſh by 'his own Laws within his dominions, and is accounta-'ble for it, if he do it amiſs; as the Kings of *Iſrael* and '*Judah* were.

But then he ſaith theſe things (further) in behalf of the Supremacy of the Prince, which ſeem to reduce the Clergy's power into a very narrow compaſs, and to render it uneffective toward the Subjects of the Church, unleſs thro the coacting of the Prince. He ſaith then: §. 209.

1. *That Princes are not bound to follow the directions of the Clergy.* 1.

Clergy any further than they are evidenced to them. See 9. c. §. 21. 'Princes are not meer Executioners of the de-'terminations and decrees of the Church Paſtors, nor 'bound blindly or peremptorily to receive and eſtabliſh, 'as matter of Faith and Religion, whatſoever they de-'fine and propound for ſuch. But they are to do their 'work ſo, as it may by the demonſtration of truth be 2. 'evidenced to the Sovereign Power. 2. That Princes are not bound to *take the directions of the whole Clergy, or of a Synod, where they fear the Synod will not go aright.* 2. c. 8. §. 'Reformation of Gods Worſhip (ſaith he) 'may be warrantably done without a foregoing Synodi-'cal vote (p. 73.) eſpecially when there is juſt cauſe of 'fear that the moſt of them that ſhould meet are ap-'parently obnoxious to factious intereſts: And (p. 72.) 'If the Prince by the law of God ſtands bound to eſtabliſh 'within his dominions whatſoever is evidenced to him, 'by faithful Biſhops and Learned men of the Church, 'to be the law of Chriſt, ſhall he not perform his known 'duty, till the vote of a major part of a Synod give him 'leave to do it? [*And here I ſuppoſe Dr.* Fern *will grant, that the Prince is bound alſo to eſtabliſh Chriſt's Law* (*in which he is accountable if he do amiſs* 9 c. §. 21.) *whenever it ſhould happen to be evidenced to him by any other, tho none of, or contrary to, the Clergy; provided, that he firſt conſult and hear the reaſons of ſome at leaſt of his Clergy.*] 3. 3. *That Princes may prohibit the decrees even of General Councils, when they are evidenced to them non docere legem Chriſti* 9. c. 28. §. 'General Councils being the great-'eſt and higheſt means of direction, which Kings can 'have in matters of Religion, but ſtill with the limi-'tation *quatenus docent legem Chriſti* [*of which I ſuppoſe the Prince muſt judge*] it being poſſible, that the major 'part ſhould be ſwayed by factious or worldly intereſts; 'therefore Kings and Emperors (ſaith he) may have 'cauſe given them, upon evidence of things unduly 'carried, to uſe their ſupreme power for forbidding of 'their decrees: as was done by *Theodoſius* againſt the 'ſecond Council of *Epheſus*, and by the Kings of *France* 'againſt

'againſt the Conventicle of *Trent*, forbidding the de-
'crees of it to be received for the ſpace of fourty years.
4ly 9. c. 21. §. *He approveth*---' The conceſſion of the 4.
'Clergy under *Henry* the Eighth, in binding themſelves
'by promiſe in Convocation in *verbo Sacerdotis*, not to
'enact or promulge or execute any new Canons or Con-
'ſtitutions without the Kings aſſent. [*Which aſſent, were it required only for ſecuring the Prince, that nothing be acted in ſuch Synods prejudicial to his civil rights, 'tis willingly allowed; but it is extended further, for the Prince's prohibiting any other decrees whatever, when not evidenced to him to be made* juxta legem Chriſti; *againſt which if any thing be done in his dominions, he remaineth accountable to God, as you have ſeen before.*]

Now, to reflect on what Dr. *Fern* hath ſaid. He §. 210.
ſeemeth 1. firſt to grant that the Clergy can publickly 1.
eſtabliſh nothing againſt or without the Prince's conſent. So that whatever they cannot evidence to the Prince, that ſo he may concur to the publiſhing thereof; they are hindred from promulgating or evidencing it to the people: So that they are in ſuch a manner the ordinary Judges and Definers of Controverſies *&c*; as that their definitions, if not evidenced to, may be ſuppreſſed by, the Prince, nor ought to come abroad to their flocks. And how conſiſts this with what he ſaith 9. c. §. 21. 'That, in order to our believing, we muſt attend to the 'evidence of truth given in or propounded [*I ſuppoſe he 'meaneth, to us*] by the Paſtors of the Church? Again; how conſiſts this with the Clergy's coercive power (9. c. 19. §.) upon the Prince, if Chriſtian, when obſtinately gain-ſaying them? Unleſs his gain-ſaying can never be called obſtinate? Will not this follow from hence, that the Clergy might not promulgate *Anti-Arrianiſme* in the Empire, until they had evidenced it (*i. e.* by his approbation thereof) to *Conſtantius* the then Emperor?
2. When he ſaith, *That a Prince is not bound to take the* 2.
directions of the whole Clergy, or of a Synod, but only of ſome faithful Biſhops, *&c.* when he hath juſt cauſe to fear faction in ſuch Synods; he ſeems in this only to keep

keep a gap open for juſtifying the paſt Reformation, and, in effect, to affirm, that the Prince may go therein againſt his Clergy. For ſince the Clergy is a ſubordinate and regularly-united body, he that taketh directions only from ſome of them, whom he knows or doubts and fears to be different in their judgment from the main body, taketh directions not from the Clergy, but from thoſe that are againſt them, as hath been laid down in the ſixth *Theſis*. I mean *againſt them*, that are the Judges in Spiritual matters, and the Definers of things in Controverſy, and Judges of Hereſy, what hath been, or ought to be, condemned, as ſuch. Without whom therefore the Prince cannot certainly know, what is, or is not, ſuch. As for that which is ſaid, that the *eſtabliſhments of the Prince are not in order to our believing*; if Dr. *Fern* meaneth, that the Prince doth not propoſe, what is evidenced to him to be the law of Chriſt, to his Subjects, with a requiring of them that they ſhould believe, that it is the law of Chriſt; the contrary is clear at leaſt in the practicals enjoyned, all which neceſſarily involve Faith. See *Chur. Gover.* 2. Part, 34. §. 3. Part, 12. §. But if he meaneth, that the Subjects cannot juſtly be neceſſitated to believe, what the Prince eſtabliſheth: ſo neither are they, what the Clergy eſtabliſheth, in his opinion; who I think alloweth to all men *judicium diſcretivum* in reſpect of any Church-authority.

3. 3. The Prince thus eſtabliſhing Church-matters, not upon the Clergy's authority, but upon evidence; he ſeems equally to oblige the Prince to eſtabliſh them, by whomſoever evidenced to him, or by his own ſearch diſcovered: for what mattereth it to the evidence, who bringeth it? And then how is the Prince's judgment ſaid to be ſecondary in reſpect to the Clergy? Indeed, if the Prince could always be certain in his evidence, ſo as not to miſtake, to think ſomething evidenced to him, when indeed it is not, and not to think other things ſufficiently evidenced, when they are: ſo, there were leſs hazard, in leaving Church-matters thus to his diſpoſal. But ſince things are much otherwiſe; and evidencing

dencing truths to any one, by reaſon of different underſtandings, education, paſſions and intereſt, is a thing very caſual; ſo that, what is eaſily evidenceable to another, may happen not to be ſo to the Sovereign power; when not patient enough to be informed; miſled and prepoſſeſſed by a faction; not ſo capable as ſome others, by defect of nature or learning; facile to be perſwaded by the laſt Speaker, *&c:* what an uncertain and mutable condition would Church-affairs be put in (as we ſee they have been here in *England* ſince the times of *Henry* the Eighth) when all the influence of the authority of the Clergy upon the people is caſt upon this evidenceing firſt of their matters to the preſent Sovereign Power.

§. 211. Concerning *Theodoſius*'s Act urged by Dr *Fern*, the Story in brief is this. The ſecond *Epheſine* Council was General in its Repreſentation, but not in the free votes of the Repreſentatives, nor in the acceptation thereof by all or the major part of Catholick Churches. In it, *paucis imprudentibus* (about ſome Ninety in all) *obviantibus ſacramento veræ divinitatis & humanitatis Jeſu Chriſti* by neceſſary conſequence (which was eſtabliſhed in the Council of *Nice* ſuperior to this in number, and univerſally accepted) *Ex iis, qui convenerant, rejectis aliis* (amongſt which the *Legates* of the Biſhop of *Rome* and Weſtern Churches) *aliis ſubſcribere coactis a militibus cum fuſtibus & gladiis, recluſis in eccleſia uſque ad veſperam.* Upon ſuch reaſons the Biſhop of *Rome*, and the Synod of the Occidental Churches with him, not accepting the decrees of this Council ſupplicated the Emperor, not to confirm, but caſſate, the Acts thereof, and *defendere contra hæreticos inconcuſſum eccleſiæ ſtatum*, ſending him the Canons of the Council of *Nice*. Now thus a Prince both may and ought to caſſate the Acts of an illegal Council, (ſuch as you ſee this is but now deſcribed to be) when a major Eccleſiaſtical power, I mean the greater part of the Church Catholick, declareth it to him to be factious, and oppoſing the truth and definitions of former General Councils univerſally accepted. Neither doth the Prince herein exerciſe any

See conc. Chalced. Act. 1.

See Leo. Epiſt. 23. ad Theod.

Supremacy, but that which all allow; namely the defending and protecting of the Church's judgments. But therefore a Prince may not oppoſe the Acts of a Council when himſelf, or a few others, againſt the main body of the Church, judge it to have been factious; or to have oppoſed, or not to have ſufficiently evidenced, the truth. The former was the caſe of *Theodoſius*: The later, of the Reformers. Of which *Theodoſius*, how religious an obſerver he was of the Church's decrees; and how free from challenging any ſuch Supremacy, as to alter or eſtabliſh any thing againſt them; ſee his cautious meſſage to the firſt *Epheſine* Council when he ſent *Candidianus* to preſide therein. --- *Eâ lege* (ſaith he) Candidianum *Comitem ad ſacram veſtram Synodum abire juſſimus, ut, cum quæſtionibus & controverſiis quæ circa fidei dogmata incidunt nihil quicquam commune habeat. Nefas eſt enim qui S. Epiſcoporum Catalogo aſcriptus non eſt, illum eccleſiaſticis negotiis & conſultationibus ſeſe immiſcere.* From which all that I would gain is this; That *Theodoſius* was of opinion, that no Lay-perſon whatſoever might ſo far intereſt himſelf in Religious and Epiſcopal Controverſies (not, as to make himſelf Arbitrator of the Conciliary proceedings to ſee that the votes thereof be free from Secular violence, and all things therein regularly carried, *&c.* for this is his duty who beareth that Sword, which keepeth men moſt in awe; but) as to make himſelf Arbitrator of the Councils Definitions; to examine, whether they are made *ſecundum*, or *contra*, *legem Chriſti*; and to prohibit them, when not evidenced to him by the Council to be ſo; becauſe he is *Cuſtos utriuſque Tabulæ:* for in theſe things it is his duty to ſubmit to whatever is the judgment of thoſe, who are appointed by Chriſt to interpret to Princes his Law. A Prince therefore may void the Acts of a Council freely, on this account; becauſe ſuch Council is unduly carried, and its decrees not accepted by the Catholick Church, and ſo becauſe its doctrines are not the doctrines of the Church: but never on this account; becauſe ſuch Council hath made ſome definition to him ſeeming contrary

Concil. Ephef. Tom. 1.

to;

to the Law of Chriſt; or hath not evidenced, to him, their definition to have been according to it. So that a lawful Regal Supremacy, in *confirming* any definitions of the Clergy made in Spiritual matters, omitteth that clauſe of limitation, which is every where put in by Dr. *Fern*, [*when evidenced to it to be the law of Chriſt*] or [*when the law of Chriſt is not evidenced to be contrary to their definitions*] which is indeed the chief Pillar of the Reformation: and changeth it into this limitation [*when evidenced to it to be the Law or Judgment or Sentence of the Church.*]

The inſtance in the King of *France* his forbidding the decrees of the Council of *Trent* hath been largely ſpoken to in *Chur. Gover.* 4. Part, 64. §. 7. n. 1 No decrees of that Council concerning matters of *Faith* or *Doctrine* were oppoſed by the *French* King, but only ſome decrees concerning Reformation. 2 His oppoſition of it further, than he can pretend it to have ſome way encroached on his civil rights, is, not juſtifiable; and, by his own Clergy, as well as the reſt of the world, diſallowed. §. 212.

Laſtly, the inſtance in the good Kings of *Judah*, inculcated ſo frequently by all theſe Writers, is copiouſly ſpoken-to in *Succeſſion of Clergy*, §. 38. 68. 1. As the Kings of *Judah* had a charge of conſerving the true Religion by their coactive power, with temporal puniſhments on offenders; and were juſtly blamed for their defects herein: So had the Prieſts, by their coercive power, with their Spiritual cenſures; and were as juſtly blameable, as the Prince, in any neglect thereof. - - 2. It cannot be ſhewed in holy writ, that the Princes of *Judah* ought not and did not both, in their Reformations of Religion, ask counſel of the Prieſts, and exactly follow their advice and decrees; except in ſuch matters of duty, as were not controverted at all, nor contradicted by the Prieſt. Now where no doubt is made by any party, there needs no conſultation; and the Prince may tell the Prieſt of his unqueſtioned duty, without asking his leave. --- 3. It cannot be ſhewed, that the Princes of *Judah* ever reformed any thing againſt the judgment of the whole body, or of the *major* part of the Prieſts. I §. 213. 1. 2. 3.

mean thoſe Prieſts, who continued in their former profeſſion of the Law of *Moſes*, and did not profeſſedly relinquiſh it, and openly apoſtatize to Idolatry: with whom being *extra eccleſiam*, the Prince had nothing
4. to do. --- 4. It cannot be ſhewed there, that the Prieſts might not lawfully have reformed Religion, without, or againſt, the Prince; nor that they did not at ſome times endeavour it with inflicting their Spiritual cenſures; tho ſucceſleſs herein, whilſt oppoſed by the Temporal power. We are to take heed of negative arguments from Scripture [*ſuch a thing is not ſaid there, therefore it was not*] but rather ought to infer [*the contrary to this*
5. *is not ſaid there, therefore it might be.*] --- 5. The Kings part in the Reformation being acted with Temporal power, therefore was ſucceſsful and went thro with the buſineſs: and having the chief, or only, ſucceſs, therefore is moſt ſpoken of, eſpecially, in thoſe Books, which were written for Hiſtories of the Kings Acts. And indeed when have not Princes (by reaſon of this their Secular power) had the greateſt reputation for altering of Religion, even where the Clergy have been moſt active? See the doctrine of Biſhop *Bramhal* and Dr. *Hammond* in this point of *Supremacy* ſet down already in *Chur. Gover.* 1. Part, §. 39. *&c.* --- And of Biſhop *Bramhal* in *Cathol. Theſ. Head.* 9. § 17.

§. 214. *The Eccleſiaſtical Supremacy of theſe Princes tranſcending that challenged by the Patriarchs.*

Thus much concerning the Engliſh Reformations under the three Princes, *Henry* the Eighth, *Edward* the Sixth, and Queen *Elizabeth*; what manner of Eccleſiaſtical Supremacy was conceded to, or recognized in, them; what, exerciſed by them. Where it is evident, that tho theſe Princes pretended only to tranſlate upon themſelves the Supremacy formerly uſed by the Patriarch (not forgetting to ſeize on moſt of the profits thereof:) Yet theirs was far from being reſtrained within the ſame bounds, as the Patriarch's was. For, whether we review the pretended innovations introduced into the Church Catholick, before, or thoſe introduced ſince the Council of *Trent*, by the Patriarch's concurrence, We cannot ſay of them; that He, without,

out, or aſſiſted only with ſome few of, the Clergy impoſed them upon the world by his ſingle authority, without, or contrary to, the votes, of the major part of the Clergy, as King *Edward* and Queen *Elizabeth* did: Who had they called a Synod of their Clergy, and then behaved themſelves in it, as *Conſtantine* in the Council of *Nice*, *i. e.* left all in pure Spiritual matters to their diſpoſal; judge what would have been the iſſue. But it ſeems, by the proceedings forementioned in this Diſcourſe, that the Secular Supremacy took it to be the Prince's right to eſtabliſh in their dominions, with, or without, the major part of the Clergy (*which*, they were inſtructed, *might fall away from the truth*, a tenent the Patriarch owns not) what they apprehended to be the Law of Chriſt, upon evidence of Scripture (*i. e.* to them ſo ſeeming) by whomſoever manifeſted unto them: From which apprehenſions, in ſingle, and unſtudied, perſons, very mutable, and having no ſuch fixedneſs, as the body of the Church hath (being tyed by ſo many ſubordinations to ſeveral degrees of Superiors,) newer and newer Reformations for ever do flow and multiply without end, as we ſee at this day. And ſo it is alſo, that theſe Acts of Supremacy coming from the hands of the Temporal power, whatever way they incline, have much more ſtrength and validity, in caſe of oppoſition, than thoſe coming from the Spiritual; this Sword not wounding, to ſenſe, ſo deep, as the other; and therefore is ſuch a Supremacy, where Prince's judgments are liable to miſtakes, much the more dangerous.

§. 21. *Several Proteſtants denying ſuch a Supremacy due to Princes.*

All which ill-conſequences the Proteſtant Princes of *Germany* (who, being in ſome reſpects ſubordinate to another, could not ſo well ſettle this Supremacy on themſelves) in the dawning of the Reformation did well foreſee; and were as loth to acknowledge the Emperor *Supreme*, as the Pope: Nor would they ever allow of this Title aſſumed by *Henry* the Eighth; out of a jealouſy, that *Charles* the Fifth ſhould claim the ſame. And for this reaſon, it is thought that, no Accord was made, tho much attempted, between them and this King. See Lord

Lord *Herbert*'s *Hiſt.* p. 378, and 448. 'The Proteſtants 'of *Germany* (ſaith he) would not allow the King's 'Supremacy, leſt they ſhould infer an inveſting of the 'ſame authority in the Emperor, whoſe abſolute power 'they ſeemed to fear, more, than that of the Pope him-'ſelf. And this ſuſpicion alienated ſecretly the mind of 'our King: who ſaw, that, if he embraced their Refor-'mation, they would abridge his power [i. e. *regulate or alter the point of his Supremacy.*]

§. 216. The ſame reluctance againſt ſuch Regal Supremacy was in *Calvin* and other Reformers, as I have ſhewed *See before*, §. 37. before; and hath remained ſtill in the reformed Presbyterian Clergy of *Scotland*, and in thoſe Sects called *Puritanical* in *England*, and elſewhere (which is ſaid to have rendred both Queen *Elizabeth* and King *James* much more averſe from the Presbyterian Government and Diſcipline:) who diſcharging the authority of the Pope, of Councils, ſuch as the Church hath had, of Biſhops; yet have endeavoured to reſerve the Supremacy, as touching all *Eccleſiaſtical Affairs* to the Officers of their particular Churches: as the power of *calling* and *conſtituting* their *Aſſemblies* at time and place as they think fit; the *making of Eccleſiaſtical Conſtitutions and Ceremonies*; the *correcting* and *ordering* all *things pertaining to the Congregation*, tho without the Kings conſent, and againſt his will; unleſs he be pleaſed to be included in the number of the Church Officers, there to enjoy a ſingle vote; requiring the Civil Magiſtrate to be ſubject to this their power. To which purpoſe are thoſe *Scotch. Diſcipline*, 2. l. 1. c. Poſitions of theirs, 'As the Miniſters, and others of 'the Eccleſiaſtical State are ſubject to the judgment and 'puniſhment of the Magiſtrate in external things, if 'they offend; ſo ought the Magiſtrates to be ſubject to 'the *Kirk* Spiritually, and in Eccleſiaſtical Government. 'And to ſubmit themſelves to the Diſcipline of the *Kirk*, 'if they tranſgreſs in matter of Conſcience and Religion. 'All men as well Magiſtrates as Inferiors, ought to be *Scot. Diſc.* 2. l. 12. c. 'ſubject to the judgment of the National Aſſemblies of 'this Country in Eccleſiaſtical cauſes, without any recla-'mation

'mation or appellation to any Judge Civil, or Eccle-
'ſiaſtical, within the Realm. See Dr. *Heylin*'s *Reform. Juſt.* p. 88, and *Rogers* on Art. 37. p. 216. and 218. and the two Books of the *Scottiſh* Diſcipline. To which may be added thoſe paſſages of the Engliſh Presbyterians in their Confeſſion of Faith, *An. Dom.* 1647. *cap.* 30, and 31. which ſay, --- 'That the Lord Jeſus as King 'and Head of his Church, hath therein appointed a Go-
'vernment in the hand of Church-officers, diſtinct from 'the Civil Magiſtrate. --- And, that, if the Magiſtrates 'be open enemies to the Church, the Miniſters of Chriſt 'of themſelves by vertue of their office may meet to-
'gether in ſuch Aſſemblies, --- And there may Miniſte-
'rially determine Controverſies of Faith; ſet down rules 'for the better ordering of the publick worſhip of God 'and Government of his Church; receive complaints, 'and authoritatively determine the ſame. Which de-
'crees and determinations, if conſonant to the word, 'are to be received [*and therefore may be divulged*] with 'reverence and ſubmiſſion, for the power whereby they 'are made, as [*this power*] being an Ordinance of God. All this (they affirm) the Church-officers may do of themſelves, by vertue of their office, if the Magiſtrate be an open enemy to the Church. And all this they did, King *Charles*'s Supremacy giving no conſent thereto, but oppoſing it. And then for the meaning of *open enemy*, I have reaſon to ſuppoſe, they will pronounce a *Popiſh*, an *Arrian*, any heretical, Prince ſuch, as well (tho perhaps not every way ſo much) as an Heathen.

Laſtly, The ſame reluctance alſo was in thoſe Biſhops §. 217.
who firſt conceded ſuch Supremacy to *Henry* the Eighth. Who, as at the firſt they ſwallowed the *Oath* of it, not without ſome ſtraining: ſo afterward, when, by long experience they had ſeen ſuch Church-laws iſſuing from it, as they thought very grievous and dammageable to the Church, and found uncontrollable by their power, they very ſtoutly, to the loſs of their Biſhopricks, made reſiſtance to the ſame Oath, in Queen *Elizabeth*'s days: and alſo in Queen *Mary*'s days, upon ſome reſpiring, took

took care to reverſe as well the *Supremacy* of *Henry* the Eighth, as the *Injunctions* of *Edward* the Sixth. And thoſe Biſhops only, who came to their Biſhopricks and Church-Government by the high-hand of ſuch Supremacy, have ſince maintained it.

CHAP. XIV.

The CONCLUSION.

§. 218. *Concluſion of this whole Diſcourſe of Chur. Gov.*

§. 219. Where *Concerning the benefit that may be hoped for from a future free General Council for the ſetling of preſent controverſies.*

HAving thus brought this whole Diſcourſe of Church Government to an end, I pray you conſider a litle with me, how matters ſtand with the Reformation generally in application thereto.

1. Firſt it ſeemeth clear: That in Controverſies of Religion (which Chriſt hath foretold ſhall ariſe) and in conteſts concerning the true ſenſe of his word, he hath not left his people under the Goſpel without ſome viſible Judge thereof, beſide the words of the Goſpel; ſince he did not leave his people under the Law without ſuch Judge, beſide the words of the Law. See what hath been ſaid of this in *Succeſſ. of Clergy*, §. 6. &c. And, in ſuch Controverſies concerning the meaning of the Scriptures, for any party to fly only to the ſame Scriptures to judge this matter between them and their adverſaries, is, as if *Titius* and *Sempronius*, ſuing one another at the Law, would have no other judge in the matter, but *Juſtinian*'s *Code* or *Pandects*, about the meaning of which they are already in the debate. 2. But, if it ſeem reaſonable, that, in ſuch Controverſy concerning the underſtanding of Scripture, there ſhould be ſome other Judge beſides Scripture; ſecondly it is out of queſtion, that the Church Catholick, which hath ſuch ample promiſes from our Saviour, ſhould be this Judge ſooner, than any particular perſon or Church therein: and, if the Church Catholick, then a legal General Council thereof; ſince this is the higheſt and ultimate way, whereby

by the Church Catholick is capable of declaring her judgment; as hath been ſhewed in the 2. Part, §. 22. *&c.* 3. Hence therefore 3*ly* are the Reformed forced, as it were, in their debates of Religion to refer their matters to, and not to decline, the deciſive judgment of a future legal and free General Council. 4. But this ſeemeth by conſequence to oblige them ſomewhat further; and that in this their appeal to, and acquieſcence in, a future General Council, they cannot reaſonably refuſe the judgment of ſuch Councils fore-paſt, as have been legally General. 5. And again 5*ly* that, to denominate any former Councils to have been ſuch, they cannot rationally require any fuller conditions, than have been ſet down in 2. Part, §. 4. unleſs they will make either no Councils at all; or not all thoſe, which themſelves allow, to have been General. And 6*ly* if they will thus ſtand to the judgment of former legal General Councils; then it ſeems they ought alſo to ſtand to the doctrines, which are cleared to them to be held and taught by the Church Catholick of that age, wherein they reformed: ſince we may preſume, that had a Council thereof been collected in the ſame times; they would in it have teſtified the ſame doctrines, which the Catholick Church then held. But thus the Reformation will be caſt; ſince I think it is ſufficiently cleared in 2. Part, §. 30. *&c.* that the doctrines they oppoſed, at leaſt for the moſt of them, were not only the Tenents of the Roman or other Churches adhering to it, but of the whole Church Catholick of that time: a thing which is of great weight, and ought diligently to be examined. And, 7*ly*, if they will ſubmit to a General Council; I do not ſee how, in the abſence of a General, their duty doth not bind them to ſubmit alſo to a Patriarchal, Council; as being, tho inferior to General, yet ſuperior to any Provincial, or National, one, within the ſame Patriarchy. And, if ſubmit to ſuch; I ſee not why they ſhould reject the judgment of the Council of *Trent*, as to the Proteſtant Controverſies free and unforced: there needing to be uſed no illegal or indirect proceedings herein; becauſe

the Fathers, in condemning theſe, did unanimouſly agree; as hath been ſhewed at large in Par. 4. §. 70. by *Soave's* teſtimony in particular to theſe points.

§. 22. But, notwithſtanding the fair inclinations the Reformed (I mean ſome of their writers, deſiring that nothing here may be charged on any further, than proved by ſome teſtimonies in the other places of this diſcourſe, which are here referred to) may ſeem to have to a final deciſion of differences; and the happy iſſue to their cauſe they ſeem to hope for from the ſentence of ſuch a future Council, general and free, could it once be procured: Yet there are not a few things, which well conſidered do diſcover their diffidence in any ſuch tryal; and no ſuch ſubmiſſion in them to ſuch Council, could it be aſſembled, as is neceſſary to the ending of contentions. As namely theſe following. 1. That, for the Councils which have been held already in the Church, they have ſo limited the obligation to their authority, and clogged it with ſuch conditions (which you may be pleaſed to review in 2. Par. §. 36, 37. *&c.*) that, in reſpect of theſe, they have reſerved to themſelves liberty to yield, or withdraw, their obedience, as they ſee fit. From which we may gather, that, if they ſee need thereof, they will in like manner limit the future, and ſo render it as unobliging to them, as former have been. 2. That they have been ſo ſcrupulous about the *Univerſality, legal actings,* &c. of paſt Councils beyond what ſeems requiſite (See 2. Par. §. 4.) that, of eighteen or not much fewer, General Councils, which the other ſide accepts, they acknowledge only four or very few more: and not theſe four for all thoſe decrees, wherein the reſt of the Church admits them. See 4. Par. §. 92. 95. 3. That they maintain, that, tho all the Church-guides never ſhall, yet the major part of the Church-guides and of ſuch Councils may, dangerouſly err, to the impoſing of falſe belief and falſe worſhip, and *pars melior a majore vinci.* See 2. Part, §. 29. Which tenent will overthrow the authority of ſuch future Council alſo; becauſe it can hardly happen in ſo great a Body, but that there will

will be some dissenters; and then they will not be tyed to a major part. 4. That, for a future Council they demand such a one, for the universality of it, as probably can never be had: and such voters therein, as is contrary to the former customes of the Church, and such other conditions, as are several ways unreasonable, and destructive of having Church-matters governed by the Church. See, concerning these, the 4. Part, §. 65, 66. *&c.* Tho, were all such their conditions observed, excepting only one, *that nothing done in such Council should oblige, till their consent first obtained*, I see not, but that things will thus also go against them because as the major part of the Clergy of Christianity, so of the Laity and Princes, were they made the Judges in that Council, are opposite to the Reformation. 5. That they do set up the authority of Provincial or National Synods, in some cases, against General (the ill consequences of which introducing such an Aristocratical, or rather so many several Monarchical, Governments into the Church, as there are several Metropolitans or Primates, see in 2. Part, §. 78. n. 2.) and do hold this a sufficient foundation of Reformation; tho indeed so much, if the things said in this 5*th* Part stand good, cannot be pleaded for it. Now all these guards and fences of the Reformed seem to me to render a future Council, were it never so universal and free, of none effect, as to ending Controversies; unless it pass on their side: and again seem to argue an *Autocatacrisis* in them, as to the judgment of the Church Catholick, and of Councils; *viz. that they apprehend, they should be cast by those, whom yet they shew a willingness to be tryed by.* Especially when as, after now an 140 years divulging of their doctrines, their reasons, and their demonstrations; they see, that, tho at the first (perhaps out of novelty) their opinions made a wonderful progress and growth: yet, for above half of this age, the Reformation hath stood at a stay; and of late hath rather lost ground, and is grown decrepit and much abated of its former bulk and stature.

See 2. Part, §. 29. 44.

To conclude. In such a rejection of, or aversion from, the Church's judgment, let none think himself secure, in

§. 221.

relying on the testimony of his conscience or judgment; 1. either that he doth nothing against it; which security many of all sects, not only living, but dying, have (for sickness ordinarily hath no new revelations of truth in it) and what sect is there, that hath not had Martyrs? The Roman party many at *Tiburn*, and the Protestant, in *Smithfield*; and even Atheism it self hath had those that have dyed for it, *Vaninus*, and others. 2. Or that he hath taken sufficient care to inform it; which thing also all sects shew themselves confident in. I say let none think himself secure in any of these things, so long as his conscience witnesseth still to him this one thing, namely, *his disobedience and inconformity to the Church Catholick*. I mean to the major part of the Guides thereof, as formerly explained in *Chur. Gov.* 2. Part, §. 8. *&c.* §. 24. *&c.* (a disobedience which *Luther* and the first Reformers could not but acknowledge; *Nos discessionem a toto mundo* (saith *Calvin*) *facere coacti sumus.*) And let him know, that his condition is very dangerous, when he maketh the Church-guides of his own time, or the major part thereof, uncommunicable with in their external profession of Religion; when, for the maintaining of his opinions, he begins to distinguish and divide between the doctrine of Scripture, and the doctrine of the Church; between the doctrines of the Catholick Church of the former ages, and of the Catholick Church of the present; between the Church's orthodoxness in necessaries, and in non-necessaries, to salvation; when he begins to maintain the authority of an inferior ecclesiastical judge, against a superior; or of a minor part of the Church-guides, against a major. Which whosoever doth, tho perchance he wanteth not many companions had need to be sure, and sure again, that he is in the right because this thing, in the day of judgment, will hinder all those, that err, from pleading invincible or inculpable ignorance, when as they do grant, both that God hath given them, beside the Scriptures, guides of their Faith; and that they have in their judgment departed from these guides *i.e.* from a major part of them; which, in a Court consisting of many, is the legal Judge. I say; In the Name of God let every Religious Soul take heed of such *Autocatacrises*.

Epistle to Melanchthon *p.* 145.

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